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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

Notice of Canceled Board of Supervisors Meetings

December 2, 2002
December 23, 2002
December 30, 2002
January 6, 2003

NOTICE IS HEREBY GIVEN that the regularly scheduled meetings of the San Francisco Board of Supervisors for December 2, 23, 30, 2002 and January 6, 2003 have been canceled.

The next regular meeting will be held on Monday, January 13, 2003 in the Legislative Chambers, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco.

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

INAUGURAL MEETING

WEDNESDAY, JANUARY 8, 2003

12:00 NOON

Legislative Chamber
City Hall, Second Floor

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Call to order by President Tom Ammiano.

1. Roll Call.
2. Pledge of Allegiance.
3. Communications:

(a) From Director of Elections, certifying the candidates for the office of member of the Board of Supervisors who received a plurality of votes cast at the elections held on November 5, 2002, and December 10, 2002, who, therefore, have been declared elected to that office, namely:

Chris Daly Bevan Dufty Fiona Ma Sophie Maxwell Gavin Newsom

(b) From the Controller: filing of official bonds for all eleven members of the Board of Supervisors.

4. Oath of Office: President Tom Ammiano, introduces the Honorable Donna J. Hitchens, Presiding Judge, San Francisco Superior Court, then requests the members to stand, whereupon Judge Hitchens will administer the oath of office.
5. Election of the President of the Board:
 - (a) Nominations
 - (b) Public Comment
6. President designates members of the Board to escort him/her to the rostrum.
7. President introduces the Honorable Mayor Willie L. Brown, Jr. and affords opportunity for brief remarks.
8. President presents plaque to outgoing President, Tom Ammiano for his term as President from January 8, 2001 to January 8, 2003.
9. President introduces each Board member and affords an opportunity for brief remarks and for introduction of family members in attendance.
10. Remarks by the President of the Board.
11. Adjournment.

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Monday, January 13, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvrs

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ammiano, McGoldrick

City and School District Committee

Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

2nd, 3rd and 4th Tuesday
10:00 AM

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
1:00 PM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members. City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the December 9, 2002 and December 16, 2002 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Finance Committee

Present: Supervisors Peskin, Maxwell

1. 021939 [Extension of Agreement with City Carshare]
Supervisors Peskin, Maxwell, Newsom
Resolution authorizing a six month extension to the existing grant agreement between the City and County of San Francisco and City Carshare.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. **021975** **[Accept-Expend Regional Grant]**
 Supervisor Peskin
 Resolution authorizing the Airport Commission to accept and expend five (5) grants totaling \$1,089,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.
 (Airport Commission)
 (Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. **021978** **[California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2002-03]**
 Supervisor Maxwell
 Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2002-03 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2002-03.
 (Public Health Department)
 (No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Gonzalez, Sandoval

4. **021937** **[Settlement of Lawsuit]**
 Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of \$100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca).
 (City Attorney)
 (Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 021938 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for \$100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 021986 [Settlement of Litigation]

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of \$21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement.,
(Treasurer-Tax Collector)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Gonzalez, Sandoval

7. 021630 [Appointment]

Resolution appointing Mark Reader, Ilya Weber, Jymi Shores, Kent Uyehara, and Ted Loewenberg, terms to be determined, to the Skateboarding Task Force.
Mark Reader, new position, seat 1, must be a voting representative from the skateboarding community knowledgeable about the sport for a period of 5 years. Three-year term;
Ilya Weber, new position, seat 2, must be a voting representative from the in-line skating community knowledgeable about the sport for a period of 5 years. Three-year term;
Jymi Shores, new position, seat 3, must be a voting representative from the BMX or alternative biking community knowledgeable about the sport for a period of 5 years. Three-year term;
Kent Uyehara, new position, seat 4, must be a voting representative with expertise in skateboarding businesses or services. Three-year term;
Ted Loewenberg, new position, seat 5, must be a voting representative from the business community with expertise in skateboarding prevention services, property management, or insurance services. Three-year term.

Supervisor Hall absent for appointment of Mark Reader.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Gonzalez;

8. 021891 [Appointment]
Resolution appointing Melvin Beetle, John Melone, Delbert Scott, and Lynne Armstrong, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.
Melvin Beetle, new position, seat 1, must be a senior who is currently homeless or marginally housed, term to be determined;
John Melone, new position, seat 2, must be a senior who is currently homeless or marginally housed, term to be determined;
Delbert Scott, new position, seat 3, must be a senior who is currently homeless or marginally housed, term to be determined;
Lynne Armstrong (residency requirement waived), new position, seat 4, must have extensive experience providing direct services to homeless seniors, term to be determined.

Question: Shall this Resolution be ADOPTED?

9. 021998 [Appointment to Telecommunications Commission]
Mayor
Resolution approving the Mayor's appointment of Michael Rouan to the Telecommunications Commission for the term ending July 1, 2004.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendation of Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

10. 021880 [Accept - Expend State Grant]
Resolution authorizing the Executive Director to apply for, accept, and expend matching grant funds from the CEC Energy Efficiency Program to install Battery Back-Up Systems (BBS) at signalized intersections with Light Emitting Diode (LED) traffic signal modules at 91 intersections throughout the City.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

11. 021873 **[Conditional Use Appeal, 2444-2454 Noriega Street]**
Motion approving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 12/9/2002, CONTINUED. Continued to January 13, 2003 meeting
Question: Shall this Motion be ADOPTED?
12. 021874 **[Conditional Use Appeal, 2444-2454 Noriega Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16471, approving Conditional Use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 12/9/2002, CONTINUED. Continued to January 13, 2003 meeting
Question: Shall this Motion be ADOPTED?
13. 021875 **[Findings - 2444-2454 Noriega Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0736C, on property located at 2444-2454 Noriega Street, north side of the street between 31st and 32nd Avenues, for action by the Board at its next meeting.
(Clerk of the Board)
- 12/9/2002, CONTINUED. Continued to January 13, 2003 meeting
Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly

14. 021504 **[Prevailing rate of wage and displaced worker protection for workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the CCSF]**

Supervisors Daly, Ammiano, Peskin, Gonzalez

Ordinance adding Section 21.25-2 to the Administrative Code to require that workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.

12/16/2002, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Maxwell

15. 021893 **[Settlement of Lawsuit]**

Supervisors Maxwell, McGoldrick

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Williams Energy Companies; the lawsuit entitled *People v. Dynegy, et al.* was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; which settlement provides a modification of the long-term contracts between the State of California and Williams, transfer to the City and County of San Francisco of four electric generating turbines for use within the City, payment of approximately \$19 million to assist with siting and developing electric generating equipment in San Francisco and elsewhere; and payment to City and County of San Francisco of \$500,000 for attorney's fees and other expenses of litigation.

(No Public Benefit Recipient.)

12/9/2002, CONTINUED. Continued to December 16, 2002 in Closed Session

Supervisor McGoldrick requested to be added as a co-sponsor.

12/16/2002, PASSED ON FIRST READING. Supervisor McGoldrick requested to be added as a co-sponsor

Question: Shall this Ordinance be FINALLY PASSED?

16. 021914 [Laguna Honda Replacement Project]**Supervisors Hall, Newsom**

Ordinance authorizing the Director of Public Works (Director) to issue a competitive request for proposals (RFP) for the services of a Construction Manager-At-Risk (CM-at-Risk) for the Laguna Honda Hospital Replacement Project, and to award a contract for such services based on best qualifications; further authorizing the Director to modify and approve the assignment of the City's current professional services contract for construction management services with Turner Construction Company/Cooper Pineda Management, Inc., a joint venture (Turner/CPM, JV) to Cooper Pineda Management, Inc. (CPM); and to permit Turner Construction Company to participate in the RFP for the services of a CM-at-Risk.

(No Public Benefit Recipient.)

12/16/2002, PASSED ON FIRST READING. Supervisor Newsom requested to be added as a co-sponsor.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of Health and Human Services Committee

Present: Supervisors Daly, Maxwell

17. 021645 [Pet Guardian - Definition and Duties]**Supervisors Gonzalez, Daly, Maxwell**

Ordinance amending Part II, Chapter V, Article 1 of the San Francisco Municipal Code (Health Code) by amending Section 41, to add the definition of "Guardian", and amending Sections 41.4, 41.5.1, 41.6, 41.7, 41.8, 41.10, 41.11, 41.12, 41.16, 41.19, 41.20, 41.22, 41.24, 42.2, and 42.3 to add the term "Guardian" where the term "Owner" is referenced.

12/9/2002, PASSED ON FIRST READING.

12/16/2002, CONTINUED. Continued to January 13, 2003

Question: Shall this Ordinance be **FINALLY PASSED**?

Present: Supervisors Maxwell, Ammiano

**18. 020716 [Settlement of lawsuit and, as part of the settlement, amending the Rent Control Ordinance]
Supervisors Ammiano, Maxwell**

Ordinance authorizing settlement of the lawsuit filed by residential landlords against the City and County of San Francisco to invalidate Proposition H passed in the November 2000 general election, concerning the pass through of capital improvement costs by landlords to tenants; the lawsuit was filed on November 22, 2000, in San Francisco Superior Court, Case No. 316-928 entitled *Quigg v. City and County of San Francisco, et al.*; and, as part of the settlement, amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) regarding permissible passthrough of bond costs from landlords to tenants by providing for 50% passthrough of the change in the landlord's property tax resulting from the repayment of general obligation bonds of the City and County of San Francisco approved by the voters in the future; and regarding permissible passthrough from landlords to residential tenants of certain costs for capital improvements, rehabilitation, energy conservation improvements, and renewable energy improvements, by codifying and expanding existing amortization schedules, by establishing specified maximum annual passthroughs at 5% of a tenant's base rent for properties with five or fewer units and at 10% of a tenant's base rent for properties with six or more units, by capping certification for work and improvements on properties with six or more residential units at 50% of landlord costs unless the tenant elects 100% passthrough of costs with a lifetime rent increase cap of 15% of base rent, by lengthening the amortization period from 10 years to 20 years for certain improvements required by law (including certain seismic improvements to unreinforced masonry buildings), by providing tenants and the Rent Board with pre-application notice of large projects, by providing that each petition totaling more than \$25,000 must pay the cost of an estimator hired by the Rent Board unless the applicant provides copies of competitive bids received or copies of time and materials billing, by providing for the Commission on the Environment to conduct hearings and recommend new passthrough provisions encouraging energy conservation improvements and renewable energy improvements, and by expanding the provisions for tenant hardship applications for relief from such passthroughs by providing that a tenant can file such an application at any time instead of only at the time the passthrough is originally approved. This Ordinance amends Sections 37.2, 37.3, and 37.7, and 37.8B, with most provisions operative May 1, 2002 or 60 days prior to passage of this Ordinance on Second Reading by the Board of Supervisors, whichever is later.

(12/9/02 in Board: Supervisor Ammiano submitted a substitute ordinance bearing new title.)

12/16/2002, PASSED ON FIRST READING. Supervisor Maxwell requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Maxwell

19. 021804 **[Garbage Collection Truck Licensing Fee]**
Ordinance increasing the licensing fee for garbage trucks and the amount deposited into the Mandatory Refuse Collection Service Fund by amending Section 249.6 of the San Francisco Business and Tax Regulations Code and Section 10.100-7 of the San Francisco Administrative Code and ratifying past actions taken in connection with such licensing fee.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 021856 **[Providing for a new complaint procedure for the enforcement of the prevailing wage requirements]**
Supervisors Ammiano, Peskin, Maxwell
Ordinance adding Subsection 6.24(C) to San Francisco Administrative Code, Chapter 6, Article II, Section 6.24 to establish a procedure for the Labor Standards Enforcement Officer's administration of complaints in the enforcement of prevailing wage requirements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 021911 **[MOU, H-1 Fire Rescue Paramedics, Local 790]**
Mayor
Ordinance adopting and implementing the terms of the Memorandum of Understanding between the Service Employees International Union, Local 790 for H-1 Fire Rescue Paramedics and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 021839 **[Redevelopment Agency Budget Amendment for Fiscal Year 2002-2003]**
Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 2002-2003 by increasing the Agency's expenditure authority in an amount not to exceed \$43,100,000; authorizing the Agency's issuance of Tax Allocation Bonds, in one or more series, each in either Variable Rate or Fixed Rate Mode, in an amount not to exceed \$43,100,000; authorizing the Agency's receipt of additional Tax Increment necessary to repay the principal and interest on said bonds; and approving a Cooperation and Tax Increment Reimbursement Agreement with the Agency with respect to the Yerba Buena Center Redevelopment Project Area; and authorizing an agreement between the Agency and the Parking Authority pertaining to the operation of the proposed Jessie Square Garage.
(Redevelopment Agency)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

23. 021877 [Amendment to the Operating Agreement for the Moscone Convention Center]
Resolution authorizing the Director of Convention Facilities to execute an amendment to the operating agreement increasing the agreement from \$15,015,100.00 to \$15,844,209.00.
(Administrative Services Department)
(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

24. 021919 [Treasure Island Development Authority Cooperative Agreement with U.S. Navy]
Resolution approving and authorizing the Treasure Island Development Authority to enter into the 15th modification to the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement retroactively from October 1, 2002 to September 30, 2003.
(Mayor)
(Fiscal impact.)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, McGoldrick

25. 021320 [Liquor License, 132 Eddy Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Monika Bernstein dba "Realspace Art Gallery" located at 132 Eddy Street (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

26. 021800 [Liquor License, 1419-18th Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Joel Bleskacek and John David-Malone for Potrero Market located at 1419-18th Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

27. 021751 [Liquor License, 615-7th Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 490 Post Street to 615-7th Street (District 6), to Harold Hoogasian dba "Hoogasian Flowers, Inc." will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

28. 021753 [Liquor License Transfer, 365 Tehama Street]
Resolution determining that the transfer of a Type 17 (wholesaler), Type 20 (off-sale beer and wine), and Type 09 (beer and wine importer) alcoholic beverage control licenses, from 375 Tehama Street to 365 Tehama Street, District 6, to Charles H. Hine dba "Aesculapius Imports", will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Gonzalez, Sandoval

29. 020913 [Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council Fund.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 021815 [Publication of Annual Reports - Amend Administrative Code Sections 1.56 and 8.16]
Supervisor Daly
Ordinance amending Administrative Code Sections 1.56 and 8.16 to require that department heads, boards and commissions post annual reports on the City's website, and prohibiting departments, boards and commissions from publishing hard copies of such reports without approval of the Board of Supervisors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 021987 [Settlement of Litigation]
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation and Helen Parduhn Marshall, individuals by accepting the total amount of \$25,000 directing its attorney to sign the Payment Agreement, Settlement and Release.
(Treasurer-Tax Collector)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 020350 [Corporate Property Reassessment]**Supervisor Gonzalez**

Resolution urging the California State Legislature to place on the ballot a constitutional amendment modifying current tax code to close corporate loopholes in Proposition 13 and allow reassessment of corporate property at current value.

3/4/2002, REFERRED to Rules and Audits Committee.

Question: Shall this Resolution be ADOPTED?

33. 020392 [Webpage Enhancement and Maintenance for the Board of Supervisors]**Supervisor Sandoval**

Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.

Question: Shall this Motion be ADOPTED?

34. 021890 [Appointment]

Resolution appointing Supervisor Gavin Newsom, David Heller, and Paul Giusti, indefinite terms, to the Graffiti Advisory Board.

Supervisor Gavin Newsom, new position, seat 1, must be a member of the Board of Supervisors, for an indefinite term;

David Heller, new position, seat 6, must represent small business in San Francisco, for an indefinite term;

Paul Giusti, new position, seat 7, must represent large business in San Francisco, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Gonzalez

35. 021991 [Appointment]

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2007, to the Metropolitan Transportation Commission.

Question: Shall this Resolution be ADOPTED?

36. 021992 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

Question: Shall this Resolution be ADOPTED?

Recommendations of Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

37. 021883 [Accept-Expend Non-Profit Grant]
Resolution authorizing the Department of Human Resources to accept and expend a grant in the amount of \$25,000 from the Cooperative Personnel Services (CPS) and International Personnel Management Association (IPMA) for the implementation and utilization of innovative human resources program, "The Link Project".
(Human Resources Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

38. 021921 [Grant funds for the preservation and restoration of the Old Mint]
Mayor
Resolution authorizing the Mayor's Office of Economic Development to retroactively accept and expend a federal grant in the amount of \$498,900 for the Preservation and Restoration of the Old Mint.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

39. 021450 [Advisory Board Report, Union Square Business Improvement District]
Motion approving the annual report by the Advisory Board to the Union Square Business Improvement District for Fiscal Year 2001-2002.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****Pending approval of File 022041****40. 022040 [FY 2002-2003 and FY 2003-2004 Budgets]****Supervisor Maxwell**

Hearing on FY 2002-2003 and FY 2003-2004 budgets at a Committee of the Whole on January 13, 2003. The hearing will include reports from the Controller and the Mayor's Budget Office on mid-year budget reduction proposals, the most current budget projections for the City, and potential impacts for San Francisco from the State budget shortfall.

Action: _____

SPECIAL ORDER 3:00 P.M.

41. 022020 [Public Hearing - Appeal, Supplemental EIR for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Supplemental Environmental Impact Report, Planning Case No. 94.155E, for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco.

(Clerk of the Board)

(Appeal filed December 11, 2002; companion measure to Files 022020, 022021, 022022, 022023.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

42. 022021 [Affirming Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]

Motion affirming Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

43. 022022 [Reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project.]

Motion reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

44. 022023 [Preparation of findings reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

45. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

46. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

47. 022043 [Legislative Analyst Request]
Supervisor Hall
Motion asking the Legislative Analyst to Review other municipalities (i.e. Washington D.C., Los Angeles, Seattle and New York City) and analyze what legislation and programs these cities have that encourage homeownership for first time homebuyers. Specifically, please analyze the tax credits offered by Washington D.C. to first time homebuyers.

Also, determine how the City and County of San Francisco could issue revenue bonds to create a fund accessible for San Franciscans seeking down payment and mortgage assistance.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 48 through 57

48. 022041 [Sitting As A Committee of the Whole 1/13/03 Budget]
Supervisor Maxwell
Motion scheduling a Committee of the Whole on January 13, 2003, at 3:00 p.m. to hold a hearing on the FY 2002 - 2003 and FY 2003 - 2004 budgets.

12/16/2002. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
49. 022006 [Urge Pretrial Diversion Program 50 hours of community service for first time graffiti offenders]
Supervisors Hall, Maxwell
Resolution urging the Executive Director of the Pretrial Diversion program to recommend to the courts at least 50 hours of community service for first time graffiti vandalism offenders.

12/9/2002. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/16/2002. CONTINUED. Continued to January 13, 2003.
Supervisor Maxwell requested to be added as a co-sponsor.
Question: Shall this Resolution be ADOPTED?
50. 022019 [Declaration of December 10, 2002 Run-off Election Results]
Resolution declaring results of the December 10, 2002 Municipal Run-off Election.
(Clerk of the Board)

12/17/2002. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
51. 022034 [Urging SF Federal Legislative Delegation Allocation of HUD McKinney Funds]
Supervisor Gonzalez
Resolution urging San Francisco's Federal legislative delegation to advocate for allocation of HUD McKinney funds at the 2002-03 level to support employment, education and training services to homeless services in San Francisco.

12/16/2002. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

52. 022035 [Declare January 16, 2003 Laura Jo Ruffin Day]
Supervisor Peskin
Resolution declaring January 16, 2003 Laura Jo Ruffin Day in San Francisco.

12/16/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 022044 [Supporting Assembly Bill 18]
Supervisors Dufty, Ammiano
Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State Fair Employment and Housing Act.

12/16/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 022047 [Opposing USA PATRIOT Act]
Supervisor McGoldrick
Resolution opposing the USA PATRIOT Act and related Executive Orders.

12/17/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 030005 [Final Map for an 8 Unit Residential Condominium Project]
Motion approving Final Map of 1610 Sacramento Street, a Residential Condominium Project, being a subdivision of Lot 7, Assessor's Block No. 621, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,896.)

1/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
56. 030006 [Final Map for a 5 Unit Residential Condominium Project]
Motion approving Final Map of 2077 - 2087 Taylor Street, a Residential Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 92, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,895.)

1/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

57. 022045 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 12/16/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

58. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 12, 2002 through noon on January 8, 2003, for reference by President to appropriate committee on January 13, 2003.

022048 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02 404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of \$50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services.

(City Attorney)

(No Public Benefit Recipient.)

12/17/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021541 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for \$107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

12/26/2002, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021586 [Acceptance of Street for Maintenance Purposes]

Ordinance accepting for maintenance purposes Illinois Street from 25th Street to Marin Street, subject to specified limitations, pursuant to California Streets and Highways Code section 1806, San Francisco Administrative Code section 1.52, and Department of Public Works Order No. Version.

(Public Works Department)

(No Public Benefit Recipient.)

12/27/2002, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 12, 2002 through noon on January 8, 2003, for reference by President to appropriate committee on January 13, 2003.

022018 [Accept- Expend a Bequeathal from the Estate of Mabel L. Schwartz]

Resolution authorizing the Department of Animal Care and Control to accept and expend a bequeathal in the amount of \$75,040.33 from the Estate of Mabel L. Schwartz (Paula J. Johnson, PR) to be used by the Department of Animal Care and Control to continue its work of helping animals and promoting their welfare.

(Animal Care and Control)

(No Public Benefit Recipient.)

12/16/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

022049 [Contracting out Laundry Services at San Francisco General Hospital]

Resolution concurring retroactively, with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees.

(Public Health Department)

(No Public Benefit Recipient.)

12/18/2002, RECEIVED AND ASSIGNED to Finance Committee.

022050 [Sale of vintage streetcar to City of Issaquah, Washington]

Resolution approving the sale of Muni Car No. 96 to the City of Issaquah, Washington pursuant to San Francisco Administrative Code Section 10.84.

(Municipal Transportation Agency)

(No Public Benefit Recipient.)

12/23/2002, RECEIVED AND ASSIGNED to Finance Committee.

021989 [Accept and Expend Federal Grant for Sheriff's Department program providing services to recently released substance abusing offenders]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$498,455 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration for providing a substance abuse program to recently released offenders.

(Sheriff)

(Public Benefit Recipient.)

12/20/2002, RECEIVED AND ASSIGNED to Health and Human Services Committee.

022051 [Transfer State funds for contract services to improve access to mental health treatment for children in foster care /other children placed outside of San Francisco]

Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2002 through June 30, 2003.

(Public Health Department)

(Public Benefit Recipient.)

12/17/2002, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the January 15, 2002 meeting.

030001 [Mental health services to HIV positive women and their adult family members]

Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement in the amount of \$30,750 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

1/3/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030002 [Grants Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to retroactively accept and expend \$1,093,110 of Federal Earmarked Capital Assistance for Construction of the Metro East Light Rail Maintenance facility, excluding Administrative Overhead Costs.

(Municipal Transportation Agency)

(No Public Benefit Recipient.)

1/2/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee

030004 [Accept-Expend Regional Grant]

Resolution authorizing the Director of Transportation or his designee to retroactively apply for, accept and expend \$112,000 in FY 02/03 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes on Cabrillo Street and to execute any and all associated documents.

(Parking and Traffic Department)

(No Public Benefit Recipient.)

1/7/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030014 [BART- MUNI Transfer Payment]

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in FY2002 and FY2003.

(Municipal Transportation Agency)

(No Public Benefit Recipient.)

1/8/2003, RECEIVED AND ASSIGNED to Finance Committee.

030021 [Petitions and Communications #1]

Petitions and Communications received from December 12, 2002 through noon on January 8, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 13, 2003.

From Office of the Legislative Analyst, submitting report providing general research and analysis on the feasibility of requiring San Francisco businesses to use biodegradable materials for packaging. File 011988 (1)

From Planning Department, submitting addendum to Negative Declaration for property located 2345 Golden Gate Avenue aka 2130 Fulton Street. (2)

From Fire Department, submitting request for release of reserved funds for training officers. Copy: Finance Committee (3)

From concerned citizens, submitting opposition to proposed legislation that adds the term "guardian" where the term "owner" appears in local codes referring to animal companions. File 021645, 40 letters (4)

From Health Commission, urging the Board of Supervisors to support Resolution #13-02, passed by the Health Commission (December 3, 2002) approving the transfer of the Institutional Police to the San Francisco Sheriff's Department and authorizing the Director of Health to enter into a letter of management agreement regarding this transfer. File 021997 (5)

From Department of Public Works, submitting an update report on the conditions of the sidewalks on 8th Street, between Howard and Folsom Streets. (Reference No. 20021112-013) Copy: Supervisor Daly (6)

From Risk Management Program, submitting indemnification quarterly report for the period of July through September 2002. (7)

From Paul Caron, commenting on an article in the San Jose Mercury News regarding statement by Leland Yee "that exotic plants are good and have a right to exist and compares there eradication to racial cleansing. (8)

From various signators, submitting Form 700 Statement of Economic Interest: (9)

Marti Paschal

Diana Parker

Gregory Asay

Sebnem Tezszen

Scott Martin

Jaynry Mak

From Mayor's Office of Emergency Services, regarding the hazardous weather outlook for the Bay Area. (10)

From Clerk of the Board, submitting copy of letter sent to Supervisor Maxwell regarding creating a process through which the Board can meet on a regular basis with its state and federal representatives to discuss issues affecting their mutual constituencies. (Reference No. 20021209-005) (11)

Number not used. (12)

From Jay Naganuma, submitting request for transfer and upgrade of a Type 20 liquor license from Jim's Drugs, formally located at 22 Peace Plaza (Japanese Cultural Center) to a Type 21 liquor license for Maruwa Food Co. of America, located at 1737 Post Street. (13)

From Department of Telecommunications and Information Services, regarding the process of identifying the "upstream sites" called for in the franchise agreement between the City and County of San Francisco and AT&T Broadband. (Reference No. 20021112-009) Copy: Supervisor Sandoval (14)

From Department of Telecommunications and Information Services, regarding the feasibility of moving cable channel 29 (the California Channel) and using the additional airtime generated from this move for community access programming; including the possibility of beginning limited programming on digital or "dark" channels. (Reference No. 2002112-008) Copy: Supervisor Sandoval (15)

From Human Rights Commission, submitting copy of letter sent to Denise and John York, owners of the San Francisco Forty Niners, regarding homophobic statements made by Garrison Hearst in the Fresno Bee newspaper. Copy: Supervisor Ammiano (16)

From Redevelopment Agency, regarding the Central Freeway/Octavia Boulevard Project. (Reference No. 20021028-010) Copy: Supervisor Daly (17)

From Howard Morseburg, submitting support for passage of proposed ordinance banning the operation of electric personal assistive mobility devices (Segway) on all sidewalks in the City and County of San Francisco. File 021643 (18)

From Department of Parking and Traffic, regarding the addition of several safety measures in the Josiah/Ingleside Neighborhood. (Reference No. 200211022-0115) Copy: Supervisor Sandoval (19)

From S.F. Museum and Historic Society Advisory Committee, submitting list of the S.F. Museum and Historic Society Advisory Committee members. (20)

From Theatrical Wardrobe Union, submitting opposition to any legislation, which would prohibit the artistic use of smoke, or fog special effects in San Francisco municipally, owned buildings, when such effects conform to OSHA standards and guidelines. File 021931 (21)

From Department of Elections, submitting the "Official Statement of Vote" for the Municipal Run-Off Election of December 10, 2002. (22)

From Housing Authority, regarding proposed measures to reimburse the Department of Public Works to clean trash or abate graffiti from any properties leased by the City to their agency. (Reference No. 20021015-010) Copy: Supervisor Newsom (23)

From Clerk of the Board, submitting notice that the nine initial appointments to the San Francisco Museum and Historical Society Advisory Committee shall serve a one-year term commencing December 17, 2002 and ending December 16, 2003. (24)

From Ethics Commission, submitting notice of proposed regulation (adopted December 16, 2002), that clarify provisions of section 1.114(c) of the San Francisco Campaign and Governmental Conduct Code, by placing restrictions on contributions persons may give to such committees as an overall per calendar year limitation. (25)

From Planning Department, submitting addendum to Final Supplemental Environmental Impact Report for various addresses, generally Pier 70 south to India Basin and east of Illinois Street. Copy: Each Supervisor (26)

From Animal Care and Control Department, regarding the financial impact of implementing proposed legislation regarding "Pet Guardian" on the Department. Copy: Each Supervisor (27)

From Port of San Francisco, regarding contract with San Francisco Drydock, Inc. (\$500,000) for dry-

docking, investigation, and repairs that will permit the Port to effect a plan for ultimate disposal of Dry-dock #1. (28)

From Police Department, regarding the Departments' ability to access and disseminate data on stolen vehicles. (Reference No. 20021125-003) Copy: Supervisor Peskin (29)

From Department of Human Resources, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-053) Copy: Supervisor Hall (30)

From Chief Medical Examiner, submitting notice that the Chief Medical Examiner does not appropriate funds to not-for-profit-service providers. (Reference No. 20021216-072) Copy: Supervisor Hall (31)

From Department of Parking and Traffic, concerning the feasibility of establishing additional Stop signs at the intersection of Huron and Lawrence Avenues. (Reference No. 20021015-022) Copy: Supervisor Sandoval (32)

From Office of the City Attorney, submitting Monthly Time Report for November 2002. (33)

From Department of Public Health, notifying the Board of Supervisors of a federal and state grant line item budget revision in excess of 15% requiring funding agency approval. Copy: Finance Committee (34)

From Cities, Counties & Schools Partnership, submitting announcement of the one-day conference entitled "Developing Community-Wide Afterschool Programs" in San Diego on February 6, 2003. Copy: Each Supervisor, Youth Commission (35)

From Office of the Controller, Audits Division, submitting reports concerning the audits of various charities that registered with the Police Department in calendar year 2002. (36)

From Department of Public Health, submitting copy of request for waiver of provisions of Chapters 12B and 12C of the Administrative Code for Pfizer Pharmaceuticals. (37)

From Public Utilities Commission, regarding request for an investigation of the level of street lighting on Sagamore Street between Capitol Avenue and Plymouth Street. (Reference No. 20021118-008) Copy: Supervisor Sandoval (38)

From War Memorial and Performing Arts Center, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-078) Copy: Supervisor Hall (39)

From AT&T Broadband, regarding the current programming services offered to customers residing in the City of San Francisco. (40)

From concerned citizens, submitting opposition to the following two proposed lease to the Friends and Foundation of the Public Library; for the operation of a bookstore on the 1st floor of the Main Library, and lease of space on the 6th floor for administrative offices to be used only for fundraising and community programs benefiting the Public Library. Files 021878, 021882, 2 letters (41)

From Ethics Commission, submitting notice that the Ethics Commission does not appropriate funds to not-for-profit service providers. (Reference No. 20021218-041) (42)

Number not used. (43)

From Senate Rules Committee, submitting re-appointment of Don Vial to the California Consumer Power and Conservation Financing Authority, Board of Directors, for term ending August 13, 2006.

(44)

From California State Association of Counties, submitting annual report for 2002. (45)

030022 [Petitions and Communications #2]

Petitions and Communications received from December 12, 2002 through noon on January 8, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 13, 2003. (Part 2)

From Stuart Flashman, submitting letter appealing the Planning Commission's certification of the Final Supplemental EIR for San Francisco Cruise Terminal/Brannan Wharf Project. Files 022020, 022021, 022022, 022023 (46)

From Department of Public Works, regarding the closure of Portsmouth Square Recreation Center, the ongoing investigation associated with it, estimates regarding reopening of the center and who will bear the costs associated therewith. (Reference No. 2021209-013) Copy: Supervisor Peskin (47)

From Public Library, regarding the possibility of finding a temporary site for the Excelsior Branch Library while it is being renovated. (Reference No. 20021125-004) Copy: Supervisor Sandoval (48)

From Department of Human Resources, submitting administrative changes to the Annual Salary Ordinance for fiscal year 2002/03. (49)

From concerned citizens, regarding Conditional Use Appeal for 2444-2454 Noriega Street. File 021872 (50)

From concerned citizens, submitting opposition to proposed legislation banning fortunetellers in San Francisco. Copy: Each Supervisor, 3 letters (51)

From Employees' Retirement System, regarding increase contribution limits for employees that contribute to the Deferred Compensation (457) plan in the 2003-tax year. (52)

From Clerk of the Board, submitting copy motion sent to the Director of the Department of Public Works relating to specific actions to facilitate public notice of budgetary decisions by the Board of Supervisors relating to eliminating or reducing medical services (California Health and Safety Code Section 1442.5(a)). (53)

From Clerk of the Board, submitting copy of letter sent to Supervisor Hall regarding proposed change of Board meeting time and setting a specific time for public comment. (Reference No. 20021216-010) (54)

From John Jenkel, submitting newsletter entitled "Abuse News" dated December 18, 2002. (55)

From Public Utilities Commission (PUC), submitting press release announcing that the PUC approved a plan that opens its Peninsula Watershed to guided tours of the Fifield-Cahill Ridge Trail. (56)

From Public Utilities Commission (PUC), submitting press release announcing that both the City of San Bruno and California Water Service Company have agreed to reduce their pumping water from the Westside Basin Aquifer that underlies Lake Merced in a cooperative effort to facilitate a study to analyze the effects on the Lake level. (57)

From Department of Human Resources, submitting report on the classification process for IFPTE Local 21 Special Assistant positions and the Management Classification and Compensation Plan Quarterly Report. Copy: Each Supervisor (58)

From Budget Analyst, submitting Activity Status Report for the Quarter ending December 31, 2002. (59)

From Fired Department, submitting notice of annual inspection of SF General Hospital Wards 7D/7L at 1001 Potrero Avenue relative to fire and life safety. (60)

From Building Inspection Commission, submitting copy of letter sent to constituent regarding hearing date (January 15, 2003) for appeal of denial for street improvement and minor encroachment permit for property located at 1573 Shotwell Street. (61)

From Emergency Communications Department, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-026) Copy: Supervisor Hall (62)

From Real Estate Division, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-081) Copy: Supervisor Hall (63)

From Board of Appeals, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-065) Copy: Supervisor Hall (64)

From Public Defender's Office, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-028) Copy: Supervisor Hall (65)

From Municipal Transportation Agency, submitting report for Municipal Railway (MUNI) on the justification for employees overtime in excess of 16% of their regularly scheduled straight time, excluding transit operators and transit supervisors, pursuant to Administrative Code Section 18.13-1. Copy: Each Supervisor (66)

From Joel Jensen, submitting opposition to the expansion of the San Francisco Airport runways into the San Francisco bay. File 021291 (67)

From concerned citizens, submitting support for proposed legislation that adds the term "guardian" where the term "owner" appears in local codes referring to animal companions. File 021645, 35 letters (68)

From Department of Human Services, regarding the permanent extension of the Citywide Winter Shelter Program. (Reference No. 20021118-001) Copy: Supervisor Newsom (69)

From Ochoa & Sillas, commenting on letter sent to city clerks and mayors throughout California by the National Fire Protection Association regarding the development of the International Fire Code. (70)

From Planning Department, responding to the second appeal of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed-Used Project and Brannan Street Wharf. Copy: Each Supervisor (71)

From Environmental Science Association, submitting environmental documentation of the San Francisco Cruise Ship Terminal Mixed-Use Project. File 022020 (72)

From Planning Department, submitting findings relating to amendments to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments. File 021338, Copy: Each Supervisor (73)

From Lloyd Schloegel, commenting on various housing issues in San Francisco before the Planning Commission. (74)

From Clerk of the Board, submitting revised State Surplus Property Officer contact and site list. (75)

From Clerk of the Board, regarding the Safe haven Newborns Task Force. (76)

From Jean Chaitin, regarding the renovation of the Marina branch library. (77)

From Building Inspection Commission, submitting support for proposed ordinance requiring that a permit be issued before commencing with construction of a concrete paving, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to \$500.00 and establishing a permit fee. File 021771. Copy: Supervisor Sandoval (78)

From Civil Service Commission, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-034) Copy: Supervisor Hall (79)

From Clerk of the Board, submitting list of shelter vacancies at midnight from December 9 through December 22, 2002. (80)

From State Department of Social Services, submitting notice that counties discontinue submitting the quarterly "Family Preservation Services Case Information" Report to the State Department of Social Services. (81)

From State Board of Equalization, regarding proposed amendments to Property Tax Rules. Copy: Assessment Appeals Board (82)

From U.S. Congressman Mike Honda, submitting copy of letter sent to constituent regarding parking citation. (83)

From Richard Rhodes, suggesting that the FBI should be involved in the Union Street assault involving SF Police officer Alex Fagan, Jr. (84)

From Fine Arts Museums, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-079) Copy: Supervisor Hall (85)

From Law Library, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-070) Copy: Supervisor Hall (86)

From Office of the Treasurer, submitting report on the Cash Differences and Overages Fund for the month of December 2002. (87)

From First 5 San Francisco, submitting meeting agenda for January 10, 2003 and January 15, 2003. Copy: Each Supervisor (88)

From Residential Rent Stabilization and Arbitration Board, regarding appropriating funds to not-for-profit-service providers. (Reference No. 20021216-80) Copy: Supervisor Hall (89)

From Office of the Controller, submitting set of high level financial reports for the month of December 2002 showing fiscal year 2002/03 status and year-end figures for the prior year 2001/02. (90)

From Department of Parking and Traffic, regarding the feasibility of making Guttenberg Street a one-way street with traffic heading north. (Reference No. 20021028-005) Copy: Supervisor Sandoval (91)

APPOINTMENTS BY THE MAYOR

Human Rights Commission

Alicia Becerril

Charles Ward

Commission on the Status of Women

Emily Murase

Arts Commission

Dugald Stermer

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JAN 16 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 21, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ammiano, McGoldrick

City and School District Committee

Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

2nd, 3rd and 4th Tuesday
10:00 AM

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Tuesday
10:00 AM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el Viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

1. 021984 [HIV Care and Related Services for Women and Minorities]
Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) AIDS Office (AO) to accept and expend the second year of a grant in the amount of \$650,000 from the DHHS Office of Minority Health (DHHS OMH) to improve AIDS related health outcomes for women and minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003.

(Public Health Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 022051 [Transfer State funds for contract services to improve access to mental health treatment for children in foster care /other children placed outside of San Francisco]
Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2002 through June 30, 2003.
(Public Health Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

3. 022048 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of \$50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services.
(City Attorney)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 021944 [Appointment]
Resolution appointing Carla Hollis, term ending January 31, 2006, and Godofredo Gomez, Ralph Gibson, Bud Wilson, and Aaron Zeff, terms ending January 31, 2007, to the Veterans Affairs Commission.
Godofredo Gomez, succeeding Carla Hollis, term expired, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Carla Hollis, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006;
Ralph Gibson, succeeding Vincent Rios, term expired, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2007;
Bud Wilson, succeeding himself, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Aaron Zeff, succeeding himself, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

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(Public Health Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 022051 [Transfer State funds for contract services to improve access to mental health treatment for children in foster care /other children placed outside of San Francisco]
Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2002 through June 30, 2003.

(Public Health Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

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Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of \$50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services.
(City Attorney)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 021944 [Appointment]
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Godofredo Gomez, succeeding Carla Hollis, term expired, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Carla Hollis, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006;
Ralph Gibson, succeeding Vincent Rios, term expired, seat 7, must be a person who served in the Armed Forces of the United States of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2007;
Bud Wilson, succeeding himself, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Aaron Zeff, succeeding himself, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

5. 022054 [Appointment]

Resolution appointing Kim Schoen, Barbara Blong, Gay Kaplan, and Merle Malakoff, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.

Kim Schoen, new position, seat 5, must be familiar with disability issues, term to be determined; Barbara Blong, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;

Gay Kaplan (residency requirement waived), new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;

Merle Malakoff, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

6. 030028 [Adopting findings related to the conditional use appeal on property located at 2444-2454 Noriega Street]

Motion adopting findings related to the appeal of the approval of the Director of Planning, serving as the Planning Commission during last year's Planning emergency, of Conditional Use Application No. 2002.0736C (which authorized, subject to conditions, the installation of three antennas within a rooftop mounted cylinder radome, one GPS antenna mounted to the roof, and four associated equipment cabinets within the ground floor storage room of the one-story commercial building as part of the wireless telecommunications network operated by MetroPCS) within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 2444-2454 Noriega Street, north side between 31st and 32nd Streets (Lot 004F in Assessor's Block 2018).
(Clerk of the Board)

(Companion measure to Files 021872, 021873, 021874, 021875.)

1/15/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Finance Committee

Present: Supervisors Peskin, Maxwell

7. 021804 [Garbage Collection Truck Licensing Fee]

Ordinance increasing the licensing fee for garbage trucks and the amount deposited into the Mandatory Refuse Collection Service Fund by amending Section 249.6 of the San Francisco Business and Tax Regulations Code and Section 10.100-7 of the San Francisco Administrative Code and ratifying past actions taken in connection with such licensing fee.

(Public Health Department)

(No Public Benefit Recipient.)

1/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 021856 [Providing for a new complaint procedure for the enforcement of the prevailing wage requirements]
Supervisors Ammiano, Peskin, Maxwell, Daly, McGoldrick
Ordinance adding Subsection 6.24(C) to San Francisco Administrative Code, Chapter 6, Article II, Section 6.24 to establish a procedure for the Labor Standards Enforcement Officer's administration of complaints in the enforcement of prevailing wage requirements.
- 1/13/2003, PASSED ON FIRST READING. Supervisors Daly and McGoldrick requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
9. 021911 [MOU, H-1 Fire Rescue Paramedics, Local 790]
Mayor
Ordinance adopting and implementing the terms of the Memorandum of Understanding between the Service Employees International Union, Local 790 for H-1 Fire Rescue Paramedics and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003.
(Mayor)
- 1/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Gonzalez, Sandoval

10. 020392 [Webpage Enhancement and Maintenance for the Board of Supervisors]
Supervisors Sandoval, Daly
Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.
- 1/13/2003, CONTINUED. Continued to January 21, 2003
Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Motion be ADOPTED?
11. 020913 [Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council Fund.
- 1/13/2003, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

12. 021815 [Publication of Annual Reports - Amend Administrative Code Sections 1.56 and 8.16]
Supervisors Daly, Ma, Peskin
Ordinance amending Administrative Code Sections 1.56 and 8.16 to require that department heads, boards and commissions post annual reports on the City's website, and prohibiting departments, boards and commissions from publishing hard copies of such reports without approval of the Board of Supervisors.

1/13/2003, PASSED ON FIRST READING AS AMENDED. Supervisors Ma and Peskin requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
13. 021937 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of \$100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca).
(City Attorney)
(Public Benefit Recipient.)

1/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
14. 021938 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for \$100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

1/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 021986 [Settlement of Litigation]
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of \$21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement.
(Treasurer-Tax Collector)
(No Public Benefit Recipient.)

1/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

16. 021987 [Settlement of Litigation]
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation Linda L. Servis and Helen Parduhn Marshall, individuals by accepting the total amount of \$25,000 directing its attorney to sign the Payment Agreement, Settlement and Release.
(Treasurer-Tax Collector)
(Public Benefit Recipient.)

1/13/2003, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be **FINALLY PASSED**?

NEW BUSINESS

From Finance Committee "Without Recommendation"

Present: Supervisors Peskin, Daly, Maxwell

17. 021599 [Approval of Ferry Building Sublease Agreement]
Supervisor Peskin
Resolution approving Sublease between Ferry Building Associates, LLC, as sublandlord, and San Francisco Port Commission, as subtenant, for the Port Commission Hearing Room and Ancillary Premises, located in the Ferry Building.
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be **ADOPTED**?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

18. 020969 [Prohibition on Use of Public Funds for Printed Greeting Cards]
Supervisor Daly
Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail printed greeting cards.

Question: Shall this Ordinance be **PASSED ON FIRST READING**?

Present: Supervisors Gonzalez, Sandoval

19. 021791 [Preservative-treated Wood Containing Arsenic]

Supervisors Peskin, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 021853 [Extending the Existence of the CEDAW Task Force]

Supervisor Maxwell

Ordinance amending San Francisco Administrative Code by amending Section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Gonzalez, Sandoval

21. 021943 [Appointment]

Resolution appointing Janet Reilly, Robert McDonnell, Leah Shahum, and Maryanne Harrison, for a term subject to review and affirmation on January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding Joseph Blue, seat 1, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;

Robert McDonnell, succeeding himself, seat 2, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;

Leah Shahum, succeeding herself, seat 3, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;

Maryanne Harrison, succeeding herself, seat 4, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Gonzalez

22. 030011 [Appointment]
Resolution appointing Sara Desumala, term ending on December 31, 2004, to the Developmental Disabilities Area Board V.
Sara Desumala, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2004.

Question: Shall this Resolution be ADOPTED?

23. 030012 [Appointment]
Resolution appointing Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Gonzalez, Sandoval

24. 030015 [Appointment]
Resolution appointing Supervisor Tony Hall as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Gonzalez

25. 030017 [Appointment]
Resolution appointing Supervisor Sophie Maxwell as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Question: Shall this Resolution be ADOPTED?

26. 030019 [Appointment]
Resolution appointing Supervisor Jake McGoldrick as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Question: Shall this Resolution be ADOPTED?

27. 022015 [Amending Rules of Order 3.9 - Roll Call Requests]
Supervisor Gonzalez
Motion amending Rule 3.9 of the Rules of Order of the Board of Supervisors to allow Supervisors to make Roll Call requests for introduction at alternate Board meetings beginning in February of 2003.

Question: Shall this Motion be ADOPTED?

28. 022026 [Amending the Rules of Order of the San Francisco Board of Supervisors]

Motion amending Rules 1.1, 2.9, 2.18, 3.7, 3.8, 3.11, and 5.35 of the Rules of Order of the Board of Supervisors to reflect the change of the regular meeting day from Monday to Tuesday and deadlines related thereto.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****29. 022040 [FY 2002-2003 and FY 2003-2004 Budgets]****Supervisor Maxwell**

Hearing on FY 2002-2003 and FY 2003-2004 budgets at a Committee of the Whole on January 13, 2003. The hearing will include reports from the Controller and the Mayor's Budget Office on mid-year budget reduction proposals, the most current budget projections for the City, and potential impacts for San Francisco from the State budget shortfall.

1/13/2003, CONTINUED. Continued to January 21, 2003

Action: _____

SPECIAL ORDER 3:00 P.M.**30. 022020 [Public Hearing - Appeal, Supplemental EIR for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Supplemental Environmental Impact Report, Planning Case No. 94.155E, for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco.
(Clerk of the Board)

(Appeal filed December 11, 2002; companion measure to Files 022020, 022021, 022022, 022023.)

1/13/2003, CONTINUED. Continued to January 21, 2003

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

31. 022021 [Affirming Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]
Motion affirming Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.
(Clerk of the Board)

1/13/2003, CONTINUED. Continued to January 21, 2003

Question: Shall this Motion be ADOPTED?

32. 022022 [Reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project.]
Motion reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.
(Clerk of the Board)

1/13/2003, CONTINUED. Continued to January 21, 2003

Question: Shall this Motion be ADOPTED?

33. 022023 [Preparation of findings reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco.
(Clerk of the Board)

1/13/2003, CONTINUED. Continued to January 21, 2003

Question: Shall this Motion be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

36. 030073 [Legislative Analyst Request - Serial Inebriation]
Supervisor McGoldrick
Motion requesting the Legislative Analyst to analyze the best practices of other local jurisdiction with regard to dealing with the problem of serial inebriation in public and evaluating the effectiveness of such programs in reducing the incidence of repeated public inebriation by the same persons. Please consider the interagency program operated by the City of San Diego called the Serial Inebriate Program (SIP). In-depth report on this topic, delivered by May 2003.
- Question: Shall this Motion be ADOPTED?
37. 030074 [Legislative Analyst Request - Legislators Retreats]
Supervisor Maxwell
Motion requesting the Legislative Analyst to research on how other cities and counties determine space and time for local legislators to conduct retreats. In particular, examine how the Cities of Richmond and Redwood City, California, and Reno, Nevada conduct legislative retreats. Sponsor requests this report by March 7, 2003.
- Question: Shall this Motion be ADOPTED?
38. 030077 [Legislative Analyst Request - Update File Number 011590]
Supervisor Daly
Motion requesting the Legislative Analyst to update File Number 011590 (Leno) related to the Digital Divide, with specific emphasis on the City's progress in addressing the Digital Divide. Please complete this report by February 13, 2003.
- Question: Shall this Motion be ADOPTED?
39. 030078 [Legislative Analyst Request - Cruise Ship Terminal at Piers 30 and 32]
Supervisor Daly
Motion requesting the Legislative Analyst to examine the regulatory process for approval of the proposed Cruise Ship Terminal at Piers 30 and 32, provide analysis of state legislation that has been approved and may be proposed regarding this site, describe efforts in other communities to plan for cruise terminals and to provide guidance to City staff in advance of regulatory approvals at the Board of Supervisors. Please provide an initial report no later than February 13, 2003 and continue working until legislation is adopted.
- Question: Shall this Motion be ADOPTED?

From Rules and Audits Committee "Without Recommendation"

Present: Supervisors Hall, Sandoval

40. 021541 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for \$107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

[Convene in Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code regarding the following litigation: Haaland v. San Francisco (San Francisco Superior court No. 305-552, filed 8/10/99. The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d)(1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

41. 030033 [Existing Litigation - Realty Equities, Inc. v. San Francisco]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of an appeal from a Planning Commission decision granting a conditional use authorization, which decision was reversed by the Board of Supervisors on appeal, regarding a proposed demolition of an existing motel (Lanai Motel) and construction of a four story tourist hotel at 2361 Lombard St.

Realty Equities, Inc. v. San Francisco
San Francisco Superior Court No. 314-332, filed 8/14/00

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 44 through 57

42. 022044 [Supporting Assembly Bill 18]
Supervisors Duffy, Ammiano, McGoldrick
Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State Fair Employment and Housing Act.
- 12/16/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/13/2003, CONTINUED. Continued to January 21, 2003
Supervisor McGoldrick requested to be added as a co-sponsor.
Question: Shall this Resolution be ADOPTED?
43. 022047 [Opposing USA PATRIOT Act]
Supervisors McGoldrick, Sandoval, Daly, Peskin
Resolution opposing the USA PATRIOT Act and related Executive Orders.
- 12/17/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/13/2003, CONTINUED. Continued to January 21, 2003
Supervisors Sandoval, Daly and Peskin requested to be added as co-sponsors.
Question: Shall this Resolution be ADOPTED?
44. 030058 [Honoring Mayor Massimo Mallegni and Honorable Cultural Assessor Massimiliano Simoni]
Supervisor Ammiano
Resolution honoring the Honorable Mayor Massimo Mallegni and the Honorable Cultural Assessor Massimiliano Simoni for their participation in the "1st International Marble Mosaic Competition" which will be held in both San Francisco and Pietrasanta on September 27th and 28th, 2003.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 030059 [Taking stand against hate crime at Women's Building]
Supervisor Ammiano
Resolution taking a stand against the intolerable hate crime attacks done to the Women's Building, and asking anyone with information about the attacks to contact the Mission Police Station.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

46. 030060 [Supporting operations of California Coastal Commission]
Supervisor Peskin
Resolution supporting the continued operation of the California Coastal Commission and urging State government to modify appointment procedures of the Commission so that it may continue its good work implementing the State of California's coastal protection program in perpetuity.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 030061 [Authorize DPT Grant of \$400,000 to establish a Motorist Information System]
Supervisor Newsom
Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$400,000 from the California Department of Transportation (Caltrans) to establish a Motorist Information System.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 030062 [Authorize DPT Grant of \$360,000 from Hazard Elimination Program]
Supervisor Newsom
Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of \$360,000 from the Hazard Elimination Safety Program to implement an emergency vehicle priority system at the 20 to 30 most critical intersections surrounding the five busiest fire stations in the City - the Financial District, Chinatown, Moscone Center, Civic Center and Mission Bay.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 030063 [Urging San Francisco Redevelopment Agency Commission to change meeting day from Tuesday to Monday]
Supervisor Gonzalez
Resolution urging the San Francisco Redevelopment Agency Commission to move its regularly scheduled meeting time from Tuesday to Monday.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 030064 [Urge State Legislature to adopt Domestic Rights and Responsibilities Act]
Supervisors Ammiano, Daly, Dufty, Gonzalez, Newsom, Peskin, McGoldrick
Resolution urging the State Legislature to adopt the Domestic Partner Rights and Responsibilities Act of 2003.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

51. 030065 [Recognizing Ging P. Bill Wong]
Supervisor Peskin
Resolution recognizing Mr. Ging P. Bill Wong's 36-year career at the Federal Highway Administration of the U.S. Department of Transportation and his dedicated service on their behalf to our City and declaring January 15, 2003 to be the "Bill Wong Day" in San Francisco.

1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
52. 030066 [Commending Coastal Conservancy]
Supervisor Peskin
Resolution commending the Coastal Conservancy for its financial support for Sail San Francisco 2002 and encouraging the Coastal Conservancy's support for similar future events.

1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
53. 030067 [Commending Most Reverend Ignatius Wang]
Supervisor Ma
Resolution commending the Most Reverend Ignatius Wang on his appointment as Titular Bishop of Sitipa and Auxiliary Bishop of San Francisco.

1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
54. 030068 [Commending San Francisco University High School Girls' Volleyball Team]
Supervisors Ma, Maxwell
Resolution commending the San Francisco University High School Girls' Volleyball Team for their achievements in the Bay Counties League (BCL) and the State Championships.

1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
55. 030069 [Commending Robert Wertz]
Supervisor Newsom
Resolution commending Robert Wertz upon his retirement after serving the youth and families of San Francisco for over 31 years.

1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

56. 030079 [Commending San Francisco University High School Girls' Cross Country Team]
Supervisors Ma, Maxwell
Resolution commending the San Francisco University High School Girls' Cross Country Team for their achievements in the Bay Counties League (BCL) and the State Championships.
- 1/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

57. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 9, 2003 through noon on January 15, 2003, for reference by President to appropriate committee on January 21, 2002.

030025 [Increasing the Alemany Flea Market Daily Staff Fee]

Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from \$30 per stall to \$45 per stall.
(Agriculture, Weights and Measures)
(No Public Benefit Recipient.)

1/9/2003, RECEIVED AND ASSIGNED to Finance Committee.

030029 [Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]

Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

1/13/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 9, 2003 through noon on January 15, 2003, for reference by President to appropriate committee on January 21, 2003.

030023 [Child Care Health Linkages]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$84,328.13 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of July 1, 2002 to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

1/10/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030024 [PUC Contract for Program Management Services, CS-524]

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) for a third year.
(Public Utilities Commission)
(No Public Benefit Recipient.)

1/3/2003, RECEIVED AND ASSIGNED to Finance Committee.

030031 [Establishing Monthly Contribution Amount]

Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Human Resources Department)
(No Public Benefit Recipient.)

1/10/2003, RECEIVED AND ASSIGNED to Finance Committee.

030003 [Sale of 1345 Turk/1140 Fillmore to Redevelopment Agency]

Resolution approving the sale of real property located at 1345 Turk and 1140 Fillmore Streets to the San Francisco Redevelopment Agency for \$900,000; approving the interdepartmental transfer of jurisdiction over 1345 Turk from the Municipal Transportation Agency to the City's Arts Commission; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the San Francisco Redevelopment Agency for the sale of such real property for the development of affordable housing, arts and community uses, and other public beneficial uses.
(Real Estate Department)

1/10/02 From City Attorney, substitute resolution bearing new title.
(Public Benefit Recipient.)

1/6/2003, RECEIVED AND ASSIGNED to Finance Committee.

1/10/2003, SUBSTITUTED. City Attorney submitted a substitute resolution bearing new title.

1/10/2003, ASSIGNED to Finance Committee.

030087 [Petitions and Communications]

Petitions and Communications received from January 9, 2003 through noon on January 15, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 21, 2003.

From Human Rights Commission, submitting copy of letter sent to Denise and John York, owners of the San Francisco Forty Niners, regarding homophobic statements made by Garrison Hearst in the Fresno Bee newspaper. (Reference No. 20021125-008) Copy: Supervisor Ammiano (1)

From Civil Service Commission, regarding implementation of Proposition J, approved by the voters in November 2002, amending City Charter Section 2.100 declaring Members, Board of Supervisors a full-time position and directing the Civil Service Commission to set the salaries. (2)

From concerned citizens, submitting support for proposed legislation that adds the term "guardian" where term "owner" appears in local codes referring to animal companions. File 021645 (3)

From Clerk of the Board, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-089) Copy: Supervisor Hall (4)

From Gray Panthers of San Francisco, submitting support for proposed resolution opposing USA PATRIOT Act and related Executive Orders. Copy: Each Supervisor (5)

From Office of the County Clerk, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-073) Copy: Supervisor Hall (6)

From Chief Medical Examiner, submitting overtime report for fiscal year 2001/02. (7)

From Zain Azzghayer, submitting request for transfer of an off-sale general (Type 21) license from 50 - 3rd Street to 725 Folsom Street, for dba Museum Parc Market. (8)

From Office of Contract Administration, submitting notice that the Official Advertising Contract has been extended six months from January 1, 2002 through June 30, 2003. (9)

From Building Inspection Commission, submitting notice that appeal of denial of street improvement and minor encroachment permit will be heard on February 5, 2003. (10)

From Peters & Beard, submitting request for a Type 48, On-Sale General Public Premises liquor license for "Red Devil Lounge" at 1695 Polk Street. (11)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for General Advertising Signs Identification and Registration Controls. Files 021727, 021813 (12)

From Department of Aging and Adult Services, submitting notice that the Department has no existing or proposed plans for the development of a recycled cell phone program which would provide surplus cell phones to seniors. (Reference No. 20021209-007) Copy: Supervisor Newsom (13)

From Police Department, regarding the Department's policy concerning warrantless searches, and officer training regarding warrantless searches. Copy: Supervisors Hall, Gonzalez, Sandoval (14)

From Bill Quan, regarding settlement of lawsuit for Proposition H concerning Capital Improvement Passthroughs by amending the San Francisco Rent Ordinance. File 021716, Copy: Each Supervisor (15)

From Department of Parking and Traffic, regarding review of the following four intersections: Laurel and Sacramento Streets, Sacramento and Walnut Streets, California and Pierce Streets and Grove and Scott Streets. (Reference No. 20021209-006) Copy: Supervisor Newsom (16)

From Department of Parking and Traffic, regarding proposed hearing on public safety policies regarding individuals living in vehicles. (Reference No. 20021216-006) Copy: Supervisor Sandoval (17)

From Superior Court of California, submitting notice that "plans and proposals for the implementation of Senate Bill 1421" is not applicable to the Superior Court. (Reference No. 20021112-003) Copy: Supervisor Sandoval (18)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (19)

From Lend Lease Development, Inc., regarding appeal of Certification of Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project. Copy: Each Supervisor (20)

From Adult Probation Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-040) Copy: Supervisor Hall (21)

From Department of Human Resources, submitting Quarterly Report of Economic Settlements for the quarter period covering October 1, 2002 through December 31, 2002. (22)

From SF War Memorial and Performing Arts Center, submitting request for waiver of Administrative Code Chapters 12B and 12C for International Fire Equipment Company. (23)

From True Sake, LLC, submitting request for an Off-Sale Beer and Wine license for Beau Timken dba True Sake at 560 Hayes Street. (24)

From Airport Commission, submitting request for a supplemental appropriation for fiscal year 2002/03 in the amount of \$1,320,534, the need for this request is due to an error that was made by the Airport in setting the correct appropriation level for the Airfield Development Program. Copy: Supervisor Peskin (25)

From Department of Building Inspection, regarding status of the Residential Sprinkler Ordinance. (Reference No. 20021209-008) Copy: Supervisor Newsom (26)

From RCN Corporation, submitting a check in the amount of \$82,000 to pay all reasonable costs incurred by the City related to the processing of the RCN Open Video System proposal. File 021825 (27)

From SF Environment, regarding health and safety conditions at the Hall of Justice building at 850 Bryant Street. (Reference No. 20021209-10) Copy: Supervisor Newsom (28)

From Municipal Railway, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-045) Copy: Supervisor Hall (29)

From Department of Public Works, regarding employee overtime in excess of 16% of their regularly scheduled straight time. (30)

From Port of San Francisco, submitting quarterly report on the rate of expenditure for each

appropriated item, pursuant to Section 25 of the 2003 Annual Appropriation Ordinance. Copy: Each Supervisor (31)

From Clerk of the Board, submitting quarterly report on the rate of expenditure for each appropriated item, pursuant to Section 25 of the 2003 Annual Appropriation Ordinance. Copy: Each Supervisor (32)

From AT&T Broadband, submitting notice of a recent increase in the franchise fees collected from customers in the City and County of San Francisco. (33)

From Office of the Controller, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-012) Copy: Supervisor Hall (34)

From Department of Elections, regarding the status of implementing the Instant Run-Off Voting Proposal from ES&S. Copy: Each Supervisor (35)

From Employees' Retirement System, submitting retirement contribution rates for fiscal year 2003/04. (36)

From Office of Contract Administration, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-084) Copy: Supervisor Hall (37)

From Office of the Treasurer/Tax Collector, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-005) Copy: Supervisor Hall (38)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for ordinance creating the Dogpatch Historic District. File 020972 (39)

From David Osgood, submitting opposition to the current cruise terminal development. File 022020 (40)

From Office of the Legislative Analyst, submitting report on existing programs that employ school nurses at all school levels in the San Francisco Unified School District. File 021048 (41)

From Redevelopment Agency, regarding long-term planning for proposed and existing redevelopment areas in San Francisco. (Reference No. 20021216-018) Copy: Supervisor Hall (42)

From Department of Parking and Traffic, regarding the feasibility of making the intersection of Leland Avenue and Sawyer Street an all-way Stop. (Reference No. 20021007-001) Copy: Supervisor Maxwell (43)

From Animal Care and Control Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-063) Copy: Supervisor Hall (44)

From Fire Department, submitting notice of annual fire and life safety inspection (December 17, 2002), for County Jail No. 1, 850 Bryant Street, 6th Floor. (45)

From Department of Public Health, submitting AIDS cases reported through December 2002. (46)

Number not used. (47)

From Small Property Owners of San Francisco, regarding the capital improvement pass-through ordinance. File 020716 Copy: Each Supervisor (48)

From Office of the Public Defender, submitting annual report for fiscal 2001-02. (49)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Monday, January 27, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ammiano, McGoldrick

City and School District Committee

Supervisor Ammiano, Commissioner Wynns, Commissioner Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

2nd, 3rd and 4th Tuesday
10:00 AM

3rd Wednesday
3:00 PM

Wednesday
12:30 PM

1st and 3rd Thursday
1:00 PM

2nd and 4th Thursday
2:00 PM

1st and 3rd Tuesday
10:00 AM

1st and 3rd Tuesday
1:00 PM

2nd and 4th Thursday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

1. 021976 [Accept-Expend Federal/State Pass Through Grant]
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$13,815 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
(Public Library)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
2. 022050 [Sale of vintage streetcar to City of Issaquah, Washington]
Resolution approving the sale of Muni Car No. 96 to the City of Issaquah, Washington pursuant to San Francisco Administrative Code Section 10.84.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Health and Human Services Committee

Present: Supervisors Daly, Maxwell

3. 021936 **[Medical services for prison inmates referred from institutions of the California Department of Corrections]**
Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco (CHNSF), to enter retroactively into an agreement, which includes an indemnification clause, with The State of California, Department of Corrections (CDC), and accept reimbursement in the amount of \$225,000 for medical services provided to inmates referred from the Correctional Training Facility (CTF) and the California Medical Facility (CMF); for the period of March 1, 2002, to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 021967 **[Accept-Expend Foundation Grant]**
Resolution authorizing the Department of Human Services to accept and expend a two-year grant in the amount of \$95,000 from the CalWORKs/Child Welfare Partnership Project for improving coordination between the department's Child Welfare and Welfare-To-Work programs.
(Human Services Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 021989 **[Accept and Expend Federal Grant for Sheriff's Department program providing services to recently released substance abusing offenders]**
Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$498,455 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration for providing a substance abuse program to recently released offenders.
(Sheriff)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

6. 022018 **[Accept- Expend a Bequeathal from the Estate of Mabel L. Schwartz]**
Resolution authorizing the Department of Animal Care and Control to accept and expend a bequeathal in the amount of \$75,040.33 from the Estate of Mabel L. Schwartz (Paula J. Johnson, PR) to be used by the Department of Animal Care and Control to continue its work of helping animals and promoting their welfare.
(Animal Care and Control)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

7. 022048 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of \$50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services.
(City Attorney)
(No Public Benefit Recipient.)

1/21/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

8. 020969 [Prohibition on Use of Public Funds for Printed Greeting Cards]
Supervisors Daly, Peskin, Ma, Gonzalez
Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail printed greeting cards.
- 1/21/2003, PASSED ON FIRST READING. Supervisors Peskin, Ma and Gonzalez requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
9. 021791 [Preservative-treated Wood Containing Arsenic]
Supervisors Peskin, Sandoval, Daly, Ma, Gonzalez, Maxwell
Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.
- 1/21/2003, PASSED ON FIRST READING. Supervisors Daly, Ma, Gonzalez and Maxwell requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
10. 021853 [Extending the Existence of the CEDAW Task Force]
Supervisors Maxwell, Daly, Ma
Ordinance amending San Francisco Administrative Code by amending Section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.
- 1/21/2003, PASSED ON FIRST READING. Supervisors Daly and Ma requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

11. 021973 [Consultant Contract for New Central Subway phase of Third St. Light Rail Transit Project]
Resolution approving the award of Municipal Railway Contract No. CS-138, Professional Engineering and Other Support Services for Muni Metro Third Street Light Rail Project: New Central Subway, with the Joint Venture of Parsons Brinckerhoff Quade & Douglas, Inc. and PGH Wong Engineering, Inc., to provide necessary professional engineering and other support services in an amount not to exceed \$29,800,000, and for a term not to exceed five years; the contract shall be initially certified for \$4.3 million in Traffic Congestion Relief Program funding.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Health and Human Services Committee

Present: Supervisors Daly, Maxwell

12. 021830 [Grant Funds to Develop Vulnerability Assessments]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to apply for, accept and expend retroactively grants amounting to \$230,000 from the United States Environmental Protection Agency (USEPA) for vulnerability assessment.
(Public Utilities Commission)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

13. 021985 [Expand Treatment for Homeless Addicts]
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend a grant in the amount of \$499,999 for the first year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish the homeless addict vocational and educational network (HAVEN) and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003.
(Public Health Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****Pending approval of File 030123**

14. 030090 [Emergency Room Diversion Task Force Recommendation]
 Supervisor Newsom
 Hearing to consider the presentation of the Emergency Room Diversion Task Force
 recommendations.
 (Clerk of the Board)
- Action: _____

15. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

16. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

From Rules and Audits "Without Recommendation"

Present: Supervisors Hall, Sandoval

17. 021541 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for \$107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)
(Public Benefit Recipient.)

1/21/2003, CONTINUED. Continued to January 27, 2003

Question: Shall this Ordinance be FINALLY PASSED?

CLOSED SESSION**CONFERENCE WITH CITY ATTORNEY - Existing Litigation****City as Defendant*****[Convene in Closed Session]***

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code regarding the following litigation: Haaland v. San Francisco (San Francisco Superior court No. 305-552, filed 8/10/99) The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d)(1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

18. 030033 [Existing Litigation - Realty Equities, Inc. v. San Francisco]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of an appeal from a Planning Commission decision granting a conditional use authorization, which decision was reversed by the Board of Supervisors on appeal, regarding a proposed demolition of an existing motel (Lanai Motel) and construction of a four story tourist hotel at 2361 Lombard St.

Realty Equities, Inc. v. San Francisco
San Francisco Superior Court No. 314-332, filed 8/14/00

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

1/21/2003, CONTINUED. Continued to January 27, 2003

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 19 through 33

19. 030123 **[Committee of the Whole - Emergency Room Diversion Task Force]
Supervisor Newsom**
Motion scheduling a Committee of the Whole on January 27, 2003 at 3:00 p.m. to hear a presentation of the Emergency Room Diversion Task Force recommendations.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
20. 030091 **[Meeting Schedule]
Supervisor Gonzalez**
Motion revising the regular meeting of the Board of Supervisors by canceling the November 11, December 2, December 23 and the December 30, 2003 meetings and by canceling all Board and Committee meetings from August 27 through September 14, 2003.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
21. 030101 **[Urge Gov. Davis to reconsider realignment of Health and Human Services Programs]
Supervisors Ammiano, McGoldrick**
Resolution urging the Governor and the State Legislature to reconsider realignment of health and human services and related obligations to the local level and to develop new revenues sufficient to maintain program administration at the State level, urging the Legislature, if it adopts some or all of the realignment proposals made by Governor, to include the minimum guarantees in order to maintain sufficient levels of health and human services uniformly across the State of California, including funding formulas for realigned programs that significantly reward local General Fund contributions, funding formulas that adequately provide for projected growth in consumer populations and caseloads, and mandatory requirements for proper levels of patient care and consumer services, and directing the City Lobbyist, in consultation with the Mayor's Office, the Director of Human Services and the Director of Public Health, to urge the Governor and the State Legislature to reconsider realignment of health and human services and, if realignment is adopted, enact minimum guarantees described herein.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

22. 030102 [Authorize DPW to accept and expend \$20,911,134 to rehabilitate the Fourth Street Bridge over Mission Bay Channel]
Supervisor Daly
Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of \$8,438,760 in Federal Highway Bridge Replacement and Rehabilitation (HBRR) program funds, \$9,977,898 in Federal Seismic funds, and \$2,494,475 in State Seismic funds, for a total of \$20,911,134 in grant funds from the Federal Department of Transportation (FHWA) through the State Department of Transportation (Caltrans) to seismically retrofit and rehabilitate the Fourth Street Bridge over the Mission Bay Channel Waterway in China Basin.

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
23. 030103 [Accept and Expend Gift of \$60,000 from Hayes Valley Neighborhood for Koshland Park]
Supervisor Gonzalez
Resolution accepting and expending a gift in place valued at approximately \$60,000 from the Hayes Valley Neighborhood Parks Group to the Recreation and Park Department for Koshland Park.

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
24. 030104 [Urge DPW to Rename a portion of 19th Street to Peter Sammon Way]
Supervisors Maxwell, Dufty
Resolution urging the Department of Public Works to honor Father Peter Sammon by renaming 19th Street between Connecticut and Missouri Streets "Peter Sammon Way".

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
25. 030105 [Urge California Legislature to reject the Governor's proposed shift of local VLF revenues]
Supervisors Maxwell, Ma, Dufty, McGoldrick
Resolution urging the California Legislature to reject the Governor's proposed shift of local VLF revenues and to honor the 1998 commitment to restore the VLF.

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 030106 [Urge Recreation and Park Department to retain Balboa Pool at its current location]
Supervisor Sandoval
Resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses.

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

27. 030107 [Commend Hayes Valley Merchants]
Supervisor Gonzalez
Resolution commending Hayes Valley merchants on their donation of a portion of their holiday sales to the Homeless Children's Network.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 030108 [Commend San Francisco Housing Authority]
Supervisors Maxwell, Peskin, Ammiano, Daly
Resolution commending the San Francisco Housing Authority for their efforts to increase civic participation among their residents of Public and Section 8 housing.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 030109 [Commend Robert J. Lull]
Supervisor Newsom
Resolution commending Robert J. Lull, M.D., his service as 2002 President of the San Francisco Medical Society.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 030110 [Commend American Red Cross and Asian-American Donor Program]
Supervisor Sandoval
Resolution commending the American Red Cross and Asian-American Donor Program in honor of January as National Volunteer Donor Month.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 030111 [Commend Michael J. Sangiacomo and Congratulate Jim Wunderman]
Supervisors Sandoval, Duffy, Ma
Resolution commending Michael J. Sangiacomo for his service as the 2002 Chair of the Board of Directors of the San Francisco Chamber of Commerce and congratulating Jim Wunderman on having been elected the 2003 Chair of the Board of Directors of the San Francisco Chamber of Commerce.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 030126 [Oppose Article 23 of the Basic Law in Hong Kong]
Supervisor Daly
Resolution opposing the proposed Article 23 legislation in Hong Kong.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

33. 030127 [Committee of the Whole]**Supervisor Daly**

Motion scheduling a Committee of the Whole to consider Files 020550 and 020549 regarding 4th and Freelon Special Use District and Zoning Map Amendment, to be held on February 4, 2003.

1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION**PROPOSED ORDINANCES**

Proposed ordinances received from January 16, 2003 through noon on January 22, 2003, for reference by President to appropriate committee on January 27, 2003.

030034 [Campaign Finance Reform Amendments of 2003]

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarify that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to \$5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing; amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-ratio is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to \$5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections may decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.

(Ethics Commission)

(No Public Benefit Recipient.)

1/17/2003, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030118 [Settlement of Lawsuit]

Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).

1/21/2003, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 16, 2003 through noon on January 22, 2003, for reference by President to appropriate committee on January 27, 2003.

030032 [Healthy eating and childhood overweight prevention services]

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively a grant in the amount of \$113,788 from the California Department of Health Services (CDHS) for healthy eating and childhood overweight prevention and to enter into an agreement for the use of these funds; for the period of August 1, 2002 to September 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

1/16/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030035 [Grant - Family literacy program for women prisoners in the county jail]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$33,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail.
(Sheriff)
(Public Benefit Recipient.)

1/13/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030082 [Accept - Expend TFCA Regional Funds]

Resolution authorizing the Municipal Transportation Agency to Accept and Expend \$1,123,364 of Transportation Fund for Clean Air Regional Funds for the three Capital Improvement Projects: the Transit Bus Traffic Signal Prioritization; Transit Bus Replacement: 15 CNG or Hybrid Electric Vehicles; and Bicycle Racks - Installation of Bicycle Racks on 50 Vehicles.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

1/16/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030129 [Petitions and Communications]

Petitions and Communications received from January 16, 2003 through noon on January 22, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 27, 2003.

From Secretary of State, submitting notice that the Charter Amendments ratified by the voters in the November 5, 2002 Consolidated General Election have been filed. (1)

From Juvenile Probation Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-030) Copy: Supervisor Hall (2)

From various signators, submitting Form 700 Statement of Economic Interests: (3)

Frances Hsieh

Steven Aronwitz

Leland Yee

Bevan Dufty

Fiona Ma

From Redevelopment Agency, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-077) Copy: Supervisor Hall (4)

From Housing Authority, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-036) Copy: Supervisor Hall (5)

From Department of Parking and Traffic, regarding the feasibility of installing additional Stop signs on Fulton Street between Masonic Avenue and Stanyan Street, particularly at the intersections of Clayton and Cole Streets. (Reference No. 20021112-010) Copy: Supervisor Gonzalez (6)

From San Franciscans for a Healthy Waterfront, submitting documents and supplementary comments in support of an appeal of the decision by the San Francisco Planning Commission to certify the proposed Cruise Terminal and Brannan Wharf Project. File 022020, Copy: Each Supervisor (7)

From Office of the Sheriff, submitting second Quarterly Expenditure Report of the Sheriff's Department for fiscal year ending June 30, 2003. Copy: Each Supervisor (8)

From Employees' Retirement System, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-058) Copy: Supervisor Hall (9)

From Public Utilities Commission, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-066) Copy: Supervisor Hall (10)

From Office of the Controller, submitting report regarding compensatory time balances of City employees. (Reference No. 20021209-011) Copy: Supervisor Peskin (11)

From S.F. Convention Facilities, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-085) Copy: Supervisor Hall (12)

From S.F. Public Library, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-076) Copy: Supervisor Hall (13)

From Department of Public Health, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-064) Copy: Supervisor Hall (14)

From Office of the Controller, Audits Division, submitting report concerning the investigation of an allegation that the Department of Building Inspection improperly prepaid a city vendor, Government Computer Sales, Inc., for incomplete work. (15)

From Juvenile Probation Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-030) Copy: Supervisor Hall (16)

From Asian Art Museum of San Francisco, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-060) Copy: Supervisor Hall (17)

From S.F. International Airport, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-033) Copy: Supervisor Hall (18)

From Pascal Bokar Thiam, submitting request for a Type 48 On Sale General liquor license for dba Savanna Jazz, LLC, located at 1419 Fillmore Street. (19)

From Office of the Sheriff, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-038) Copy: Supervisor Hall (20)

From Fine Arts Museums of S.F., regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-079) Copy: Supervisor Hall (21)

From Office of the Treasurer & Tax Collector, submitting quarterly report for the Bureau of Delinquent Revenue for the period covering October 1, 2002 through December 31, 2002. (22)

From Department of Public Health, reporting the rate of expenditures for the quarter ending December 31, 2002 for S.F. General Hospital and Laguna Honda Hospital. (23)

From Department of Building Inspection, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-050) Copy: Supervisor Hall (24)

From Youth Commission, submitting resolution regarding high school exit exams. (25)

From Anna Mazzetti, regarding homeless people camped out in Dolores Park. (26)

From Department of Public Health, submitting underground storage tank contamination site report, dated January 9, 2003. (27)

From Monteser Kohn, submitting opposition to proposed plan by BART to charge \$2 dollars a day to park at the Daly City BART Station. (28)

From Djajadi Pamudji, commenting that the Fire Department is doing a great job for participants taking the Neighborhood Emergency Response Team Training (NERT) class. (29)

From Darren Kearn, submitting opposition to the USA PATRIOT Act. File 022047 (30)

From Department of Human Services, regarding lack of DHS funds in District 11. (Reference No. 20021216-004) Copy: Supervisor Sandoval (31)

From Arts Commission, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-043) Copy: Supervisor Hall (32)

From Law Offices of Stuart M. Flashman, responding to documents and supplementary comments submitted by San Franciscans for a Healthy Waterfront regarding proposed Cruise Terminal and

Brannan Wharf Project. File 022020, Copy: Each Supervisor (33)

From Department of Consumer Assurance, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-062) (34)

From Fire Department, submitting notice of annual fire and life safety inspection (January 10, 2003) for County Jail No. 8, 425 7th Street. (35)

From Public Utilities Commission, announcing the construction of three new water treatment facilities, enhancing system operations, and undertaking a major public information campaign to prepare for changing its water disinfectant in November 2003. (36)

From Clerk of the Board, submitting notice that the Office of the Clerk of the Board has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-027). Copy: Supervisor McGoldrick (37)

From S. F. Architectural Heritage, commenting and urging support of the leasehold improvements in the Ferry Building for the Port of San Francisco. File 22020, Copy: Each Supervisor (38)

From Department of Human Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-068) Copy: Supervisor Hall (39)

From Department of Children, Youth and Their Families, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-086) Copy: Supervisor Hall (40)

From Office of the Treasurer & Tax Collector, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-029) Copy: Supervisor Hall (41)

From various signators, submitting Form 700 Statement of Economic Interests: (42)
Virginia Stanley

From Board of Appeals, submitting notice that appeal for Hauser vs. DBI, BOSD at 1168 Folsom Street has been rescheduled to March 5, 2003, City Hall, Room 416 at 5:00 P.M. (43)

From AT&T Broadband, submitting notice that AT&T Broadband will relocate the California Channel from channel 29 to channel 33 on the basic tier of services on February 19, 2003. (44)

From District 6 Democrats, submitting concern and strong protest over the direction the Board and the Elections Commission seem to be going. (44)

From Department of Administrative Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-063) Copy: Supervisor Hall (45)

From Department of Telecommunications and Information Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-082) Copy: Supervisor Hall (46)

From Department of Telecommunications and Information Services, submitting report on the portion of viewing hours on the City's public access cable television channel, Access San Francisco, allotted to nonprofit community organizations and groups. (47)

From Anna Shimko, submitting the final version of the Community Commitments document that was developed jointly by Home Depot, U.S.A., Inc. and members of the Bayview Hunters Point Project Area Committee regarding the proposed construction of a Home Depot store on Bayshore Boulevard. Copy: Each Supervisor (48)

From Supervisor McGoldrick, submitting resignation from the Association of Bay Area Governments (ABAG), effective immediately. (49)

From Planning Department, regarding landmark designation of 88 Fifth Street, the Old San Francisco U.S. Mint. File 021687, Copy: Supervisors McGoldrick, Hall, Ammiano, Peskin (50)

From Police Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-075) Supervisor Hall (51)

From Ethics Commission, submitting annual report for fiscal year 2001-02. (52)

From Office of the Controller, Audits Division, submitting report concerning payment by the Arab Cultural Center of costs related to publishing an education guidebook entitled "Education Guide to the Arab and Muslim World. (53)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JAN 30 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 4, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ma, Ammiano, McGoldrick

City and School District Committee

Supervisor Ammiano, Supervisor Dufty, Commissioner Wynns, Commissioner Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Dufty, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, Dufty, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Ma, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

10:00 AM

3rd Wednesday

3:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

1:00 PM

2nd and 4th Thursday

2:00 PM

1st and 3rd Tuesday

10:00 AM

1st and 3rd Tuesday

1:00 PM

2nd and 4th Thursday

9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices; (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 8, 2003 and January 13, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Transportation and Commerce Committee

Present: Supervisors Hall, Anumiano

1. 020790 [Stop Sign Designation - Francisco and Mason Streets]
Supervisor Peskin
Resolution urging the installation of 4-way Stop signs at the intersection of Francisco and Mason Streets.

Question: Shall this Resolution be ADOPTED?

2. 021833 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Athens and Madison Streets, stopping Madison Street at Athens Street, making this T-intersection an all-way STOP;

Britton Street and Visitacion Avenue, stopping Visitacion Avenue at Britton Street, making this intersection an all-way STOP;

Arleta Avenue and Rutland Street, stopping Rutland Street at Arleta Avenue, making this intersection and all-way STOP; and

Cabrillo and La Playa Streets, stopping Cabrillo Street, the stem of this T-intersection.

STOP SIGNS - RESCIND

Tiffany Avenue at Duncan Street.

(Parking and Traffic Department)

11/4/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2518.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Hall, Annunzio

3. 021834 [Traffic Regulations, Various Streets]
Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH

Golden Gate Avenue, westbound from Masonic to Parker Avenues; and
Golden Gate Avenue, eastbound from Masonic Avenue to 130 feet westerly.

MULTIPLE LEFT TURN LANES - ESTABLISH

10th Street, southbound at Brannan Street, Division Street, and Potrero Avenue (mandatory left turn for curb lane, shared left turn/through for 2nd lane from curb). Curb lane is currently designated as a left turn lane.

STREET CLOSURE - ESTABLISH

Tiffany Avenue, northbound direction only, at Duncan Street

CROSSWALK CLOSURE - ESTABLISH

Duncan Street, at Tiffany Avenue, west crosswalk (crossing Duncan Street)

NO LEFT TURN - ESTABLISH

Duncan Street, westbound, at Tiffany Avenue (prohibits access from Valencia Street to southbound Tiffany Avenue)

RIGHT TURN ONLY - ESTABLISH

Duncan Street, eastbound, at Tiffany Avenue (prohibits access from Duncan Street to Valencia Street)
(Parking and Traffic Department)

11/5/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2518.

Question: Shall this Resolution be ADOPTED?

4. 021835

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Van Dyke Street, south side, from the east end of the easternmost driveway of 1355 Van Dyke Street to Ingalls Street; and
Curtis and Rolph Streets, along the traffic island, south side, from the east end to 17 feet westerly (17-foot zone accommodating two parking stalls).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Castro and Noe Streets (4000 block).

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH

906 and 925 Howard Street, between 5th and 6th Streets (adds specified addresses only).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Green Street, south side, from Montgomery Street to 31.5 feet easterly (31.5-foot zone accommodating nine motorcycle parking stalls).

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Berry Street, both sides, between 3rd and 7th Streets;
Channel, both sides, between 4th and 6th Streets;
Channel, both sides, south of the Commons Street roundabout to Mariposa Street;
Mission Bay Street, both sides, between 4th and North Common Streets;
Mission Rock Street, both sides, between 4th Street and Terry A. Francois Boulevard;
Rincon Street, both sides, between Mission Bay Street and Terry A. Francois Boulevard;
North Common Street, north side, between Owens Street and Terry A. Francois Boulevard;
South Common Street, south side, between Owens Street and Terry A. Francois Boulevard;
South Street, both sides, between 3rd Street and Terry A. Francois Boulevard;
Mariposa Street, both sides, between Illinois and Pennsylvania Streets;
Bay Mud Street, both sides, between North Common and Rincon Streets;
4th Street, both sides, between Channel and Mariposa Street;
Terry A. Francois Boulevard, both sides, between Mariposa and Mission Rock Streets;
3rd Street, west side, from 16th Street to Mariposa Street; and
King Street, both sides, between 5th and Berry Streets.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - RESCIND

Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks, up to and including address #666).

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks, up to and including address #670).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Duncan Street, north side, from Tiffany Avenue to 40 feet westerly (40-foot zone)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Tiffany Avenue, east side, from Duncan Street to 40 feet southerly (40-foot zone).
(Parking and Traffic Department)

11/5/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No.2518.

Question: Shall this Resolution be ADOPTED?

5. 021981

[Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Avila and Beach Streets, stopping Beach Street at Avila Street, making this intersection an all-way STOP.

34th Avenue and Rivera Street, stopping 34th Avenue at Rivera Street, making this intersection an all-way STOP.

28th Avenue and Ulloa Street, stopping 28th Avenue at Ulloa Street, making this intersection an all-way STOP.

46th Avenue and Ortega Street, stopping 46th Avenue at Ortega Street, making this intersection an all-way STOP.

42nd Avenue and Ortega Street, stopping 42nd Avenue at Ortega Street, making this intersection an all-way STOP.

44th Avenue and Ortega Street, stopping Ortega Street at 44th Avenue, making this intersection an all-way STOP.

Italy Avenue and Lisbon Street, stopping Lisbon Street at Italy Avenue, making this intersection an all-way STOP.

Huron Street and Lawrence Avenue, stopping Huron Street at Lawrence Avenue, making this intersection an all-way STOP.

43rd Avenue and Ortega Street, stopping 43rd Avenue at Ortega Street, making this intersection an all-way STOP.

23rd Avenue and Kirkham Street, stopping Kirkham Street at 23rd Avenue, making this intersection an all-way STOP.

(Parking and Traffic Department)

(12/3/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

6. 021982

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY (WESTBOUND) STREET - ESTABLISH

Tehama Street, from Gallagher Lane to 5th Street.

NO LEFT TURN INTO DRIVEWAY - ESTABLISH

643 and 649 Bay Street, westbound, between Columbus Avenue and Leavenworth Street.

(Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

7. 021983 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Faxon Avenue, east side, from Ocean Avenue to 170 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

San Jose Avenue, south side, from 52 feet to 95 feet south of Theresa Street;

Mason Street, west side, from Beach Street to 22 feet southerly; and

California Street, both sides, from Van Ness Avenue to 55 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Mission Street, south side, from 60 feet to 140 feet east of 11th Street.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Meacham Place, both sides, from Post Street to south terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Taylor Street, east side, from 3 feet to 6.5 feet south of the driveway at 1434 Taylor Street (3.5-foot zone, accommodating one motorcycle parking stall).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Plymouth Avenue, east side, from Ocean Avenue to 96 feet northerly.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

24th Street, north side, from 65 feet to 107 feet west of Castro Street; and

24th Street, south side, from Castro Street to 143 feet westerly.

NO PARKING ANYTIME, 7 AM to 6 PM, EXCEPT SUNDAYS - RESCIND

Powell Street, east side, from 10 feet to 55 feet south of Pine Street (to establish a green zone in its place).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bosworth Street, north side, between Arlington and Diamond Streets (approximately nine spaces).

RESIDENTIAL PERMIT PARKING AREA "D" (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Arlington Street, east side, between Bosworth and Wilder Streets.

2-HOUR (SIGNED) PARKING RESTRICTIONS, 3-MONTH TRIAL - ESTABLISH

Bosworth Street, south side, between I-280 southbound on-ramp and Lyell Street; and

Bosworth Street, north side, between Arlington and Lyell Streets.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Tehama Street, both sides, between 5th Street and Gallagher Lane

ANGLED (45 DEGREE ANGLE) PARKING - RESCIND

ANGLED (60 DEGREE ANGLE) PARKING - ESTABLISH

2400 block of Broadway, north side, between Pierce and Steiner Streets

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, APRIL TO OCTOBER, 9 AM TO 10 PM, MONDAY THROUGH FRIDAY, 9 AM TO 6 PM, SATURDAY AND SUNDAY; NOVEMBER TO MARCH, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH 200 block of Brannan Street, south side, between Colin P. Kelly, Jr. and Delancey Streets.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Cesar Chavez Street, south side, from Guerrero Street to 84 feet easterly (include addresses 3627, 3631 and 3635 Cesar Chavez Street only).

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Mount Vernon Avenue, both sides, between Del Monte and Ellington Avenues (portion of the Unit block); and

Ellington Avenue, both sides, between Mount Vernon Avenue and east terminus (Unit block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

100 block of Bache Street, south terminus, from 10 feet east of the west property line to 22 feet easterly (22-foot zone).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Gallagher Lane, east side, from 2.5 feet to 20 feet south of Tehama Street (accommodating five spaces).

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH

Gallagher Lane, east side, from 18 feet to 120 feet north of Clementina Street.

(Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From Rules and Audits Committee "Without Recommendation"

Present: Supervisors Hall, Sandoval

8. 021541 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for \$107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)
(Public Benefit Recipient.)

1/21/2003, CONTINUED. Continued to January 27, 2003

1/27/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Ammiano

9. 020327 [General Plan Amendment]
Ordinance amending the text of the Downtown Element, Objective 12 (Conserve Resources that Provide Continuity with San Francisco's Past), of the City's General Plan to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1 Priority Policies.
(Planning Department)
(Planning Commission Resolution No. 16345 adopted February 14, 2002, Case No. 02.1151TT; companion measure to File 020328.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
10. 020328 [Transferable Development Rights]
Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Ammiano

11. 021687 [Designate the Old U.S. Mint At 88 Fifth Street As a Landmark Under Planning Code Article 10]
Supervisors Peskin, Ammiano, Hall
Ordinance Designating 88 Fifth Street, The Old U.S. Mint, Block 3704, Lot 11, As Landmark No. 236 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Hall, Ammiano

12. 021886 [Parking Regulations, portions of Hyde Street]
Ordinance adding Section 32.6.34 to the San Francisco Traffic Code, regarding parking regulations on portions of Hyde Street.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 021941 [Creating Underground District No. 359 on Octavia Street]
Ordinance approving Underground District No. 359 On Octavia Street.
(Public Works Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 030002 [Grants Federal Funds]
Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend \$1,093,110 of Federal Earmarked Capital Assistance for Construction of the Metro East Light Rail Maintenance facility, excluding Administrative Overhead Costs.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

15. 030004 [Accept-Expend Regional Grant]
Resolution authorizing the Director of Transportation or his designee to accept and expend \$112,000 in FY 02/03 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes on Cabrillo Street and to execute any and all associated documents.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

16. 030098 [Hearing]
Hearing to consider the proposed Fourth Street, Freelon Street, and Welsh Street Special Use District and Zoning Map Amendment.
(Clerk of the Board)
(Companion measure to Files 030127, 020550, 020549.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

Called from Finance Committee by Supervisor Daly

17. 020549 [Fourth and Freelon Streets Special Use District]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low-and lower income households with income not exceeding 40% of San Francisco's median income, which shall remain affordable for 55 years or for the life of the building whichever is longer, and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization with reversion to the City if the nonprofit housing organization is dissolved.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000) (12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.) (1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 020550 [Zoning Map Amendment]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000) (12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

19. 030007 [Public Hearing - Appeal, Conditional Use, 2815 Diamond Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16489 dated December 5, 2002, approving Conditional Use Application No. 2002.0124CVR to allow a lot size to exceed 9,999 square feet, to permit nonresidential uses over 3,999 square feet, (Library/Grocery Store) and to allow a public use (Library) on site for a mixed-use development of 15 dwelling units, approximately 9,200 gross square foot public use (Branch Library) and approximately 7,037 gross square foot other retail sales and services use (Grocery Store/Liquor Store) per Section 303 of the Planning Code, in a NC-2, Small Scale Neighborhood Commercial District, and within the 40-X Height and Bulk District, located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets between Bosworth/Chenery Streets; Lots 025A, 026-029, 063, in Assessor's Block 6745.
(Appeal filed January 6, 2003; Planning Department issued a Preliminary Mitigated Negative Declaration on May 31, 2002; companion measure to Files 030008, 030009, 030010, 030013; District 8.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 030008 [Appeal, Conditional Use - 2815 Diamond Street]
Motion approving decision of the Planning Commission by its Motion No. 16489, approving Conditional Use Application No. 2002.0124CVR, on property located at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?
21. 030009 [Appeal, Conditional Use - 2815 Diamond Street]
Motion disapproving decision of the Planning Commission by its Motion No. 16489, approving Conditional Use Application No. 2002.0124CVR, on property located at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

22. 030010 [Findings - 2815 Diamond Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0124VR, on property located 2815 Diamond Street, for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
23. 030013 [Environmental Review - 2815 Diamond Street]
Motion certifying review of Preliminary Mitigated Negative Declaration relating to proposed Conditional Use of Property at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From Finance Committee

The following items will be considered by the Finance Committee at a Regular Meeting on Wednesday, January 29, 2003, at 12:30 PM. The Chair intends to request the Committee to send the following items to the Board as a committee report.

24. 030118 [Settlement of Lawsuit]
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 030036 [Board Off-site Meetings]
Supervisor Ammiano
Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on February 26, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
1/21/03 in Board: Supervisor Ammiano submitted a substitute motion bearing new title.
1/21/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute motion bearing new title.
- Question: Shall this Motion be ADOPTED?

From Rules and Audits Committee

The following items will be considered by the Rules and Audits Committee at a Special Meeting on Wednesday, January 29, 2003, at 1:00 PM. The Chair intends to request the Committee to send the following items to the Board as a committee report.

26. 030121 [Amend Rules of Order - New Committee Structure]

Supervisor Gonzalez

Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.8 and replacing them with new Sections 5.1 through 5.6, thereby creating a new committee structure of the Board.

Question: Shall this Motion be ADOPTED?

27. 030122 [Amend Rules of Order - Establish Joint City and School District Select Committee]

Supervisor Gonzalez

Motion establishing a Joint City and School District Select Committee.

Question: Shall this Motion be ADOPTED?

28. 030039 [Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]

Supervisor Peskin

Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 31 through 39

31. 030105 [Urge California Legislature to reject the Governor's proposed shift of local VLF revenues]
Supervisors Maxwell, Ma, Dufty, McGoldrick, Daly, Peskin, Sandoval, Gonzalez
Resolution urging the California Legislature to reject the Governor's proposed shift of local VLF revenues and to honor the 1998 commitment to restore the VLF.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/27/2003, CONTINUED. Continued to February 4, 2003
Supervisors Daly, Peskin, Sandoval and Gonzalez requested to be added as co-sponsors.
Question: Shall this Resolution be ADOPTED?
32. 030106 [Urge Recreation and Park Department to retain Balboa Pool at its current location]
Supervisor Sandoval
Resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses.
- 1/21/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/27/2003, CONTINUED. Continued to February 4, 2003
Question: Shall this Resolution be ADOPTED?
33. 030135 [Extension of Planning Commission Review Period - Planning Code Section 207.2]
Supervisor Peskin
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

34. 030148 [Urge State of California Legislature to cut prison spending and redirect money to fund education]
Supervisor Sandoval
Resolution urging the Governor of California and the California State Legislature to cut prison spending and redirect that money to fund education.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 030149 [Urge State PUC to allocate \$16 million for San Francisco Department of Environment]
Supervisor Gonzalez
Resolution urging the California Public Utilities Commission to allocate \$16 million from the Public Goods Charge to the San Francisco Department of Environment for an emergency Energy Efficiency program in San Francisco to begin immediately.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 030151 [Proclaim Ella Brown Day]
Supervisor Maxwell
Resolution proclaiming January 30, 2003 as Ella Brown Day in the City and County of San Francisco.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030152 [Commend Twelve Civil Rights Activists]
Supervisor Sandoval
Resolution commending twelve civil rights activists featured in the Long Walk to Freedom Exhibition National Tour.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030130 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

39. 030153 [City and School District Off-Site Meeting]

Supervisor Aumiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 16, June 18, August 20, October 15, and December 17, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 23, 2003 through noon on January 29, 2003, for reference by President to appropriate committee on February 4, 2003.

- 030081 [Parking Regulations, Blanken Avenue]**
Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue.
(Parking and Traffic Department)

1/24/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
- 030167 [Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance.
(Public Health Department)
(No Public Benefit Recipient.)

1/22/2003, RECEIVED AND ASSIGNED to Finance Committee.
- 030159 [Appropriate bond interest earnings for construction of the Asian Art Museum]**
Ordinance appropriating \$2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and \$1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of \$3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03.
(Controller)
(No Public Benefit Recipient.)

1/28/2003, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 23, 2003 through noon on January 29, 2003, for reference by President to appropriate committee on February 4, 2003.

- 030128 [Training programs for clinical and related professionals]**
Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an amendment to a contract agreement with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of \$5,000 for research services; for the period of July 1, 2002 to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

1/27/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.
- 030147 [Public Auction of Tax-defaulted Property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)
(No Public Benefit Recipient.)

1/22/2003, RECEIVED AND ASSIGNED to Finance Committee.

030161 [Accept- Expend State Grant]

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately \$178,750 from the California Energy Commission to support a peak load reduction project at Moscone Convention Center.

(Public Utilities Commission)

(No Public Benefit Recipient.)

1/29/2003, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

030162 [Accept- Expend State Grant]

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately \$2,127,054 from PG&E's Self-Generation Incentive Program to support a Design-Build contract for a renewable energy solar power plant project at the Moscone Convention Center.

(Public Utilities Commission)

(No Public Benefit Recipient.)

1/29/2003, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

030163 [Accept-Expend Grant]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program."

(District Attorney)

(No Public Benefit Recipient.)

1/29/2003, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

030165 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Genessee Street and Joost Avenue, stopping Genessee Street and Joost Avenue, making this intersection an all-way STOP;

Castro Street, stopping northbound Castro Street at Bemis and Sussex Streets;

Milton I. Ross Street and Jerrold Avenue, stopping both eastbound and westbound Milton I. Ross Street; and

Lettuce Lane and Jerrold Avenue, stopping eastbound Lettuce Lane at Jerrold Avenue.

(Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)

1/24/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030166 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Russian Hill Place, east side, from Vallejo to 15 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Point Lobos Avenue, south side, from 40th Avenue to 80 feet westerly (adjacent to center roadway island).

TOW-AWAY, NO PARKING ANYTIME, 10 PM - 6 AM, EVERYDAY - ESTABLISH

Executive Park Boulevard, east side, between Alana Way and Blanken Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Ervine Street, west side, from Wilde Street to 346 feet southerly;

South Park Avenue, both sides, from 2nd Street to 125 feet westerly; and

South Park Avenue, both sides, from 3rd Street to 125 feet easterly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH

18th Street, both sides, between 3rd and Tennessee Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

7th Street, west side, from 48 to 76 feet north of Townsend Street (accommodates six unmetered motorcycle parking spaces); and

UNMETERED MOTORCYCLE PARKING - ESTABLISH

8th Street, east side, from Division Street to 10.5 feet northerly (accommodates three unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

17th Street, both sides, between Shrader and Stanyan Streets (4900 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - RESCIND

Rose Street, north side, from Market Street to 26 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Arkansas Street, east side, from 50 feet south of 17th Street to Marioposa Street (100 block, starting with address #113); and

Arkansas Street, west side, between 17th and Mariposa Streets (100 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

25th Street, both sides, between Church and Dolores Streets (3800 block);

Church Street, both sides, between 25th and Clipper Streets. (portion of the 1300 block);

Fair Oaks Street, both sides, between 21st and 22nd Streets (Unit block); and

Valencia Street, east side, from 22nd to 23rd Streets (1100 block).

(Note: The meters will not be removed and Residential Permit Parking signs will not be installed on Valencia Street.)

(Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)

1/24/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030168 [Accept-Expend State Grant]

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$9,765.23 from the California Integrated Waste Management Board for assistance in the development of markets for recycled and re-manufactured products.

(Environment)

(No Public Benefit Recipient.)

1/27/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030172 [Petitionms and Communications]

Petitions and Communications received from January 23, 2003 through noon on January 29, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 4, 2003.

From Department of the Environment, submitting annual report for the Integrated Pest Management Program, for fiscal year 2001/02. (1)

From Golden Gate Bridge Highway and Transportation District, submitting annual report for the Golden Gate Bridge Highway and Transportation District, for fiscal year 2001/02. (2)

From Planning Department, submitting proposed ordinance that would provide for the revocation of a Conditional Use authorization upon a finding that the applicant provided false information in obtaining the Conditional Use. File 021772 (3)

From Retirement System, submitting review of proposed ordinance that expands the eligibility for heart trouble and pneumonia presumption to certain members of the Police and Fire Departments. File 021913, Copy: Supervisors Peskin, Daly, Maxwell (4)

From concerned citizen, commenting on proposed legislation regarding the housing element of the General Plan. File 021661, Copy: Supervisors McGoldrick, Hall, Ammiano (5)

From Office of the City Administrator, regarding agencies funded by the Mayor's Neighborhood Beautification Fund. (6)

From Department of Child Support Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-031) Copy: Supervisor Hall (7)

From Pacific Gas and Electric Company, submitting request for an increase to PG&E's gas rates for the calendar year 2004. (8)

From Commission on the Environment, submitting Resolution No. 001-03-COE, (adopted January 9, 2003) establishing a sub-committee to study hydrogen systems development. Copy: Each Supervisor (9)

From Office of the Mayor, submitting appointment of himself to the Bay Area Air Quality Management District (BAAQMD) Board of Directors and Maria Ayerdi as his deputy to the Bay Area Air Quality Management District. (10)

From the Little House Committee, submitting support for designating the four 1907 Cottages at 1338 Filbert Street with landmark status in San Francisco. File 030097 (11)

From Alan Teague, regarding addendum to the Final Environmental Impact report for the 4th and Freelon Special Use District. Files 020550, 020549, Copy: Each Supervisor (12)

From West of Twin Peaks Central Council, submitting minutes for the November 25, 2002 meeting. Copy: Each Supervisor (13)

From Port, submitting memorandum detailing the duties and functions of the department's long term planner, and explaining how each of these planners works with other long term planners in different City departments. (Reference No. 20021216-019) Copy: Supervisor Hall (14)

From Glen Park Marketplace Phoenix llc., regarding appeal of Conditional Use for the Glen Park Marketplace. Copy: Each Supervisor (15)

From Human Rights Commission, regarding implementation of the Backlash, Violence, Human Rights Violations and Discrimination report. Copy: Each Supervisor (16)

From the Landmarks Preservation Board, regarding the landmark designation of the 1338 Filbert Street Cottages. File 03097, Copy: Each Supervisor (17)

From Police Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-075) Copy: Supervisor Hall (18)

From Human Rights Commission, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-035) Copy: Supervisor Hall (19)

From Office of the Controller, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-039) Copy: Supervisor Hall (20)

From the Mental Health Assoc. of San Francisco, submitting support for the creation of 4th and Freelon Streets as a Special Use District. File 020549, 020550 (21)

From Office of the City Administrator, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-064) Copy: Supervisor McGoldrick (22)

From Real Estate Division, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-084) Copy: Supervisor McGoldrick (23)

From Muni, submitting second quarter report stating there are no items that are projected to exceed the fiscal year appropriation in Muni's operating fund. (24)

From Animal Care and Control Department, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-066) Copy: Supervisor McGoldrick (25)

From Budget Analyst, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-090) Copy: Supervisor Hall (26)

From concerned citizens, submitting request for hearing for property located at 75 Miraloma Drive before a building permit is issued. (27)

From concerned citizens, submitting support for legislation that adds the term "guardian" where the term "owner" appears in local codes referring to animal companions. File 021645 (28)

From concerned citizens, submitting support for the passage of resolution opposing the Patriot Act. (29)

From Matthew Huisman, submitting support for the proposed Glen Park Marketplace. (30)

From concerned citizens, from concerned citizens, submitting opposition to banning the "Segway" in San Francisco. (31)

From Community Works, submitting announcement of the opening program and reception as well as the kick-off celebration for the Long Walk to Freedom Exhibition National Tour at the Koret Auditorium, Civic Center Public Library, on February 1, 2003 at 2:00 p.m. (32)

From Emergency Communications Department, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-026) Copy: Supervisor Hall (33)

From Audrey Joseph Presents, LLC, submitting request for transfer of a Type 48 (on-sale general public premises) liquor license for Audrey Joseph Presents, LLC, dba Night Gallery, located at 442 Jessie Street. (34)

From S.F. Unified School District, submitting 1997 Quarterly Report for Proposition A, including Bond issuance documents. Copy: Each Supervisor (35)

From AT&T Broadband, submitting notice that effective February 24, 2003, AT&T Broadband will remove the Oxygen channel from channel 73 on the Expanded Basic tier. (36)

From AT&T Broadband, submitting notice that effective April 2, 2003, AT&T Broadband will add the CCTV-4 channel to the Digital premium tier at channel 244, add the Home and Garden Channel to the Expanded Basic tier at channel 67; and relocate the Outdoor Life Channel to the Expanded Basis tier at channel 81. (37)

From AT&T Broadband, submitting notice that AT&T Broadband will launch the Advanced Digital Network in four nodes. The launch of these nodes will take place between February 26, 2003 and February 28, 2003. (38)

From Law Library, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-073) Copy: Supervisor McGoldrick (39)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

FEB 6 2003

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 11, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Maxwell, Peskin, Ma, Ammiano, McGoldrick

City and School District Committee

Supervisor Ammiano, Supervisor Dufty, Commissioner Wynns, Commissioner Mar

Finance Committee

Supervisors Peskin, Daly, Maxwell

Health and Human Services Committee

Supervisors Daly, Dufty, Maxwell

Neighborhood Services and Recreation Committee

Supervisors Newsom, Dufty, McGoldrick

Public Works and Public Protection Committee

Supervisors Sandoval, Ma, Gonzalez

Rules and Audits Committee

Supervisors Hall, Gonzalez, Sandoval

Transportation and Commerce Committee

Supervisors McGoldrick, Hall, Ammiano

Meeting Days

10:00 AM

3rd Wednesday

3:00 PM

Wednesday

12:30 PM

1st and 3rd Thursday

1:00 PM

2nd and 4th Thursday

2:00 PM

1st and 3rd Tuesday

10:00 AM

1st and 3rd Tuesday

1:00 PM

2nd and 4th Thursday

9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.ci.sf.ca.us/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 409, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

1. 030196 [Findings related to the conditional use appeal on property located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets, between Bosworth and Chenery]
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0124CVR, which allows a lot size to exceed 9,999 square feet, permits nonresidential uses over 3,999 square feet (a branch library and grocery store), and allows a public use (library) on a site for a mixed-use development of 15 dwelling units, with approximately 9,200 gross square feet of public use and approximately 7,037 gross square feet of other retail sales and services use, per Section 303 of the Planning Code, in a NC-2, Small Scale Neighborhood Commercial District, and within the 40-X Height and Bulk District, located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets between Bosworth and Chenery Streets (Lots 025A, 026-029, and 063 in Assessor's Block 6745).
(Clerk of the Board)
(Companion measure to Files 030007, 030008, 030009, 030010, 030013.)

2/5/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendation of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

2. 030118 [Settlement of Lawsuit]
Supervisors Gonzalez, Peskin, Daly
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).
- 2/4/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

3. 030039 [Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]
Supervisors Peskin, Newsom, Maxwell
Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.
- 2/4/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Transportation and Commerce Committee

Present: Supervisors McGoldrick, Hall, Annunzio

4. 020327 [General Plan Amendment]
Supervisor Daly
Ordinance amending the text of the Downtown Element, Objective 12 (Conserve Resources that Provide Continuity with San Francisco's Past), of the City's General Plan to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1 Priority Policies.
(Planning Department)
(Planning Commission Resolution No. 16345 adopted February 14, 2002, Case No. 02.1151TT; companion measure to File 020328.)
- 2/4/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 020328 **[Transferable Development Rights]**
 Supervisor Daly
 Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1.
 (Planning Department)
- 2/4/2003, PASSED ON FIRST READING.
 Question: Shall this Ordinance be **FINALLY PASSED?**
6. 021941 **[Creating Underground District No. 359 on Octavia Street]**
 Supervisor Newsom
 Ordinance approving Underground District No. 359 On Octavia Street.
 (Public Works Department)
 (No Public Benefit Recipient.)
- 2/4/2003, PASSED ON FIRST READING.
 Question: Shall this Ordinance be **FINALLY PASSED?**
7. 021886 **[Parking Regulations, portions of Hyde Street]**
 Ordinance adding Section 32.6.34 to the San Francisco Traffic Code, regarding parking regulations on portions of Hyde Street.
 (Parking and Traffic Department)
 (No Public Benefit Recipient.)
- 2/4/2003, PASSED ON FIRST READING.
 Question: Shall this Ordinance be **FINALLY PASSED?**
8. 021687 **[Designate the Old U.S. Mint At 88 Fifth Street As a Landmark Under Planning Code Article 10]**
 Supervisors Peskin, Ammiano, Hall, McGoldrick, Daly, Newsom, Maxwell
 Ordinance Designating 88 Fifth Street, The Old U.S. Mint, Block 3704, Lot 11, As Landmark No. 236 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.
- 2/4/2003, PASSED ON FIRST READING.
 Question: Shall this Ordinance be **FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

9. 021913 [Expanding eligibility for the heart trouble and pneumonia presumption to certain members of the Police Department and Fire Department]
Supervisors McGoldrick, Peskin, Daly, Maxwell
Ordinance amending section 16.86 of the San Francisco Administrative Code to provide that certain prior service in another police or fire department shall be counted toward qualification for the heart trouble and pneumonia presumption.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 022029 [To appropriate funding to accelerate a business tax collection program]
Supervisors McGoldrick, Peskin, Daly
Ordinance appropriating \$119,652 of Business Tax Revenues to the Treasurer/Tax Collector for the purpose of accelerating a business tax and penalties collection program, for fiscal year 2002-03.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 030045 [Amending the Annual Salary Ordinance to expedite appointments by elected officials]
Supervisor Daly
Ordinance amending the Annual Salary Ordinance to provide that elected officials enumerated in Article II and Section 6.100 of the San Francisco Charter may make appointments to permanent positions upon (1) verification by the Human Resources Director that the positions have been legally established and that the appointment is consistent with the Charter and applicable Civil Service Rules and (2) certification by the Controller that sufficient funds are available; and specifying that such appointments do not require approval by the Mayor.
(1/23/03 in Board: Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.)
(Supervisor Maxwell Dissenting in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 021573 [Extends time for performance of PUC contract CS-524 by 3 months under last year's funding appropriation, and reserves the Board's right to disapprove the continuation of the contract]
Resolution approving Public Utilities Commission's three month extension of time for the San Francisco Water Alliance to complete work under the second year of the Program Management Services, CS-524; and extending the time from September 21, 2002 to December 21, 2002 when the Board may approve the continuation of the contract upon its review of the Commission's annual evaluation of the contract performance of the San Francisco Water Alliance.
(Public Utilities Commission)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

13. 030014 [BART- MUNI Transfer Payment]
Supervisors Peskin, Daly
Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in FY2002 and FY2003.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

14. 030024 [PUC Contract for Program Management Services, CS-524]
Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) through February 28, 2003.
(Public Utilities Commission)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

15. 030047 [Recreation and Park--First Amendment to the Beach Chalet Lease]
Mayor
Resolution approving the construction of a deck at the rear of the Beach Chalet Building and authorizing an amendment to the lease for the Beach Chalet restaurant.
(Mayor)

Question: Shall this Resolution be ADOPTED?

16. 030048 [Issuance and Sale of Single Family Mortgage Revenue Bonds]
Mayor, Supervisors Peskin, Daly
Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, the issuance and sale of single family mortgage revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed \$36,000,000.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules and Audits Committee

Present: Supervisors Hall, Gonzalez, Sandoval

17. 030124 [Directing Budget Analyst]
Supervisor Gonzalez
Motion directing the Board of Supervisors Budget Analyst to explore budget reduction strategies and revenue enhancement options and prepare recommendations for consideration by the Board of Supervisors Budget Committee for the fiscal year 2003-2004 Annual Appropriation Ordinance and Annual Salary Ordinance.

Question: Shall this Motion be ADOPTED?

18. 030125 [Directing the Budget Analyst]
Supervisor Gonzalez
Motion directing the Budget Analyst to include policy recommendations, when deemed appropriate by the Budget Analyst, in its reports to the Board of Supervisors.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

19. 030098 [Hearing]
Hearing to consider the proposed Fourth Street, Freelon Street, and Welsh Street Special Use District and Zoning Map Amendment.
(Clerk of the Board)
(Companion measure to Files 030127, 020550, 020549.)

2/4/2003, CONTINUED. Heard at Public Hearing.

Continued to February 11, 2003.

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

Called from Finance Committee by Supervisor Daly

20. 020549 [Special Use District to allow an approved live/work project convert to residential]

Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low- and lower income households with income not exceeding 50% of San Francisco's median income, which shall remain affordable for a period of 50 years from their date of initial occupancy, and (iii) upon completion, land title shall be transferred to and the off-site affordable housing building shall be owned, managed and operated by a nonprofit housing organization. If the nonprofit housing organization is dissolved, the affordable housing building and land shall be transferred to another nonprofit housing organization or, if no such organization can be found, shall revert to the City. Approval of the market rate housing project shall be through a conditional use authorization with payment of a \$10,000 fee if application is made within one year.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000) (12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.)

(1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

2/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly, seconded by Supervisor Duffy, moved an amendment of the whole as further amended on Page 11, line 6 after the word "dissolved" add the words "If no such nonprofit organization can be found, the off-site affordable housing building and the associated land shall revert to the City." On page 13, line 16 after the words "on-site" add the words "pursuant to the provision of Section 315.4 of this code in the Event that no off-site project is built by the project applicant."

Motion carried by the following vote:

Ayes: 11 Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval.

Supervisor Peskin, seconded by Supervisor Daly, moved an amendment on page 10, line 15 delete the words "after offsetting the land acquisition costs," and replace it with "shall contain a minimum of 56 units of no less than 400 square feet each,".

Motion carried by the following vote:

Ayes: 11 Ammiano, Daly, Duffy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved an amendment on page 10, line 16 after the words "400 square feet each," add or the number of units and square footage required by Section 315.5(d) of this Code, whichever shall result in the greater number of affordable units".

Motion failed by the following vote:

Ayes: 4 Ammiano, Maxwell, McGoldrick, Sandoval

Noes: 7 Daly, Duffy, Gonzalez, Hall, Ma, Newsom, Peskin

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved an amendment on page 13, line 1 after the words "affordable housing" add the words "and insurance against construction defects".

Motion carried by the following vote:

Ayes: 6 Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 5 Daly, Duffy, Hall, Ma, Newsom

2/4/2003, CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 020550 [Zoning Map Amendment]**Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)

(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

2/4/2003, PASSED ON FIRST READING. Supervisor Daly, seconded by Supervisor McGoldrick, moved to vote on the legislation.

Motion carried by the following vote:

Ayes: 11 Ammiano, Daly, Dufy, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From Finance Committee

The following items will be considered by the Finance Committee at a Regular Meeting on Wednesday, February 5, 2003. The Chair intends to request the Committee to send the following items to the Board as a committee report.

22. 021995 [Revising administration of Police Emergency Alarm Ordinance]**Mayor, Supervisor Daly**

Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give the Director of Emergency Communications responsibility for administering the substantive provisions of the Police Emergency Alarm Ordinance and to provide for billing and collection of license and license renewal fees by alarm companies.

(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 030102 [Authorize DPW to accept and expend \$20,911,134 to rehabilitate the Fourth Street Bridge over Mission Bay Channel]
Supervisors Daly, Maxwell
Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of \$8,438,760 in Federal Highway Bridge Replacement and Rehabilitation (HBRR) program funds, \$9,977,898 in Federal Seismic funds, and \$2,494,475 in State Seismic funds, for a total of \$20,911,134 in grant funds from the Federal Department of Transportation (FHWA) through the State Department of Transportation (Caltrans) to seismically retrofit and rehabilitate the Fourth Street Bridge over the Mission Bay Channel Waterway in China Basin; reserving \$488,733 in grant funds that may be returned to the General Fund without a need to release the reserve.
- 1/27/2003, REFERRED to Finance Committee.
- Question: Shall this Resolution be ADOPTED?

From Rules and Audits Committee

The following items will be considered by the Rules and Audits Committee at a Special Meeting on Monday, February 10, 2003. The Chair intends to request the Committee to send the following items to the Board as a committee report.

24. 030180 [Amending Rules 3.7 and 3.8 of the Rules of Order governing the reporting of legislation from Board Committees to the Board]
Supervisor McGoldrick
Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting, except that legislation reported by the Rules Committee at a Wednesday meeting must be submitted to the Clerk by 12:00 noon that day to be considered at the following Tuesday's meeting.
- Question: Shall this Motion be ADOPTED?
25. 030154 [Rules of Order to limit three unexcused absences for Supervisor from Committee]
Supervisor Peskin
Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.
- Question: Shall this Motion be ADOPTED?
26. 030175 [Amend Rules of Order - Committee Size]
Supervisor Gonzalez
Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by amending Section 5.12 to provide that all standing and special committees shall be comprised of three Supervisors.
- Question: Shall this Motion be ADOPTED?

27. 030076 [Supervisors serving on outside Boards and Commissions]
Supervisor Gonzalez
Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board of Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board of Commission.
- Question: Shall this Motion be ADOPTED?
28. 030176 [Appointment, Public Utilities Commission]
Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007.
(Mayor)
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Companion measure to Files 030177 and 030178.
Transmittal date - January 30, 2003.
- Question: Shall this Motion be ADOPTED?
29. 030177 [Appointment, Public Utilities Commission]
Motion rejecting the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission.
(Mayor)
- Question: Shall this Motion be ADOPTED?
30. 030178 [Appointment, Public Utilities Commission]
Motion taking no position concerning the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for term ending January 15, 2007.
(Mayor)
- Question: Shall this Motion be ADOPTED?
31. 022042 [Planning Audit Implementation Advisory Group]
Supervisor McGoldrick
Resolution establishing an 11-member Planning Audit Implementation Advisory Group to advise the Board of Supervisors and the Planning Department on implementing the recommendations of the Budget Analyst in his Management Audit of the Planning Department, directing the Advisory Group to produce a report to the Board by May 30, 2003, directing the Director of Planning to provide staff assistance to the Advisory Group, and providing that the Advisory Group shall sunset its operations on July 30, 2003 unless extended by the Board of Supervisors.
- Question: Shall this Resolution be ADOPTED?

32. 030183 [Establish West Geary Boulevard Working Group]**Supervisor McGoldrick**

Motion establishing the West Geary Boulevard Working Group to review and analyze proposals for changes in land use and transportation along the Geary corridor west of Van Ness Avenue, including, but not limited to the Municipal Railway's "Visions for Rapid Transit in San Francisco," former Supervisor Leno's proposal for "Trans-Oriented Neighborhood Commercial Districts and Transit Intensive Special Use Districts," and to develop a consensus document exploring the advisability of increases in density along the Geary corridor west of Van Ness with corresponding improvements in transit service and other related neighborhood improvements, and recommending steps to realize such improvements.

Question: Shall this Motion be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 45

35. 030153 [City and School District Off-Site Meeting]
Supervisor Ammiano
Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 16, June 18, August 20, October 15, and December 17, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
- 1/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
2/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Ammiano requested that this matter be severed so that it could be considered separately.
2/4/2003, CONTINUED AS AMENDED. Continued to February 11, 2003.
Question: Shall this Motion be ADOPTED?
36. 030161 [Accept- Expend State Grant]
Supervisor Maxwell
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately \$178,750 from the California Energy Commission to support a peak load reduction project at Moscone Convention Center.
(No Public Benefit Recipient.)
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030162 [Accept- Expend State Grant]
Supervisor Maxwell
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately \$2,127,054 from PG&E's Self-Generation Incentive Program to support a Design-Build contract for a renewable energy solar power plant project at the Moscone Convention Center.
(No Public Benefit Recipient.)
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030181 [Urging End to Discrimination in Marriage Law]
Supervisors Ammiano, Daly, Dufty, Maxwell
Resolution urging Governor Gray Davis and the California State Legislature to end discrimination against lesbian, gay, bisexual, and transgender people by repealing discriminatory marriage laws in California.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

39. 030182 [Urging Exemption of Solar Energy Systems]
Supervisor Ammiano
Resolution urging the California Public Utilities Commission to exempt all solar energy systems from exit fees and pursue policies that promote solar and other renewable energy sources.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 030193 [Expenditures from Zygmunt Arendt Estate]
Supervisor Gonzalez
Resolution amending Resolution Number 302-99, which approved the following recommendations from the Executive Director of the Department of Human Services for expenditures from the Zygmunt Arendt estate: 1) to distribute the portion of the bequest designated for the most needy seniors and disabled children to organizations that serve those groups; and 2) to distribute the portion intended to assist the poor and needy on special supportive services for indigent adults participating in self-sufficiency programs who are otherwise ineligible for MediCal-funded services, such as dental, eye and medical care, and other basic needs not funded through existing programs; by approving modified recommendations from the Executive Director of the Department of Human Services as follows: 1) to allocate the portions designated for the poor and needy people of San Francisco and the most needy seniors for housing and related services for those designees.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 030195 [Commend Raja Rahim]
Supervisor Maxwell
Resolution commending Raja Rahim and other 2002 California Peace Prize awardees for their commitment and achievements in preventing violence in their communities and improving the health of the people of California.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 030197 [Funding SF Ferry Service]
Supervisors Newsom, Peskin
Resolution in support of funding future San Francisco ferry service from a portion of new state bridge toll revenues and San Francisco County sales tax extension revenues, and supporting the San Francisco Bay Area Water Transit Authority's Implementation and Operations Plan for creating those ferry services.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

43. 030202 [US Flag Cruise Ships]
Supervisor Newsom
Resolution urging the drafting of legislation to provide for foreign-built, U.S.-flag cruise ships in the coastal United States similar to the Inouye amendment for Hawaii.

2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 030205 [Mixed use at 10th and Market Streets]
Supervisor Daly
Resolution endorsing the concept of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and directing City staff to identify the key terms and conditions of agreements effectuating such a project.

2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 030204 [Legislative Analyst Budget Consideration]
Supervisor Daly
Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

46. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 28, 2003 through noon on February 3, 2003, for reference by President to appropriate committee on February 11, 2003.

- 030155 [1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]
Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)

1/30/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/2003, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

- 030156 [1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]
Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

1/30/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/2003, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030157 [1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1.

(Planning Department)

1/30/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/2003, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030158 [1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1.

(Planning Department)

1/30/2003, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/2003, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 28, 2003 through noon on February 3, 2003, for reference by President to appropriate committee on February 11, 2003.

030160 [Accept-Expend Foundation Grant]

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$15,000 from the San Francisco Foundation for providing technical assistance to schools that are starting and maintaining organics waste collection programs.

(Environment)

(No Public Benefit Recipient.)

2/4/2003, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030211 [Accept- Expend Federal Grant]

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$50,000 from the U.S. Department of Energy for the promotion of renewable energy through the Million Solar Roofs Grant Program.

(Public Utilities Commission)

(No Public Benefit Recipient.)

1/30/2003, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

2/4/2003, TRANSFERRED to City Services Committee. Transferred pursuant to new committee structure, 2/17/03.

030214 [Accept-Expend Gift]

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$52,000 from the Friends and Foundation of the San Francisco Public Library for the James C. Hormel Gay and Lesbian Center.

(Public Library)

(No Public Benefit Recipient.

2/3/2003, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

2/4/2003, REFERRED TO DEPARTMENT: Referred to the Youth Commission for comment and recommendation.

030216 [Petitions and Communications]

Petitions and Communications received from January 30, 2003 through noon on February 5, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 11, 2003.

From Ethics Commission, submitting summary of lobbyist activity for political contributions for the fourth quarter of 2002. (1)

From Citizen Review, submitting support for appeal of Conditional Use Approval by the Planning Commission for property located at 2815 Diamond Street. (2)

From Alice Suet Yee Barkley, submitting support for proposed legislation (sponsored by Supervisor Daly) that will reclassify the entire block ("Fourth/Freelon SUD") as a Special Use District. File 030098, Copy: Each Supervisor (3)

From Civil Service Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-037) Copy: Supervisor McGoldrick (4)

From Office of the City Administrator, submitting list of agencies receiving grants from the Neighborhood Beautification Fund. (Reference No. 20021216-061) Copy: Supervisor Hall (5)

From Office of the City Administrator, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-071) Copy: Supervisor Hall (6)

From Chief Medical Examiner, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-075) Copy: Supervisor McGoldrick (7)

From Department of Public Health, submitting copy of draft FY 03-04 budget for consideration and approval by the Health Commission. Copy: Each Supervisor (8)

From Department of Child Support Services, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-034) Copy: Supervisor McGoldrick (9)

From Department of Human Services, regarding lack of recipients of Department of Human Services funds in District 11. (Reference No. 20021216-004) Copy: Supervisor Sandoval (10)

From Board of Appeals, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-068) Copy: Supervisor McGoldrick (11)

From Police Department, submitting name of Captain Steven Tacchini of Central Station as representative to the Skateboarding Task Force. Copy: Supervisor Newsom (12)

From Civil Service Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-037) Copy: Supervisor McGoldrick (13)

From Emergency Communications Department, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-029) Copy: Supervisor McGoldrick (14)

From Fire Department, submitting notice of annual inspection relating to fire and life safety was conducted at SF Sheriff's Department, County Jail #9 at 425 7th Street on January 6, 2003. (15)

From concerned citizens, submitting petition in support of the "4th and Freelon Streets" Special Use District. File 030098, Copy: Each Supervisor (16)

From concerned citizens, regarding safety in the Glen Park neighborhood by mitigating a compromise with the developers of the Glen Park Marketplace. File 030007, Copy: Each Supervisor (17)

From concerned citizen, suggesting property owners of illegal rentals (in-law units) in the City and County of San Francisco comply with the City's Codes, pay taxes on these units and report them to the IRS if they refuse to obey the law. (18)

From Sunshine Ordinance Task Force, submitting Order of Determination (dated January 28, 2003) regarding complaint of Michael Stoll against the Board of Supervisors regarding failure to release information. (19)

From Tim Lefkowitz, regarding citizens that operate recurring garage sales, which are, no more than cleverly disguised rummage side businesses. (20)

From Board of Appeals, submitting notice that members of the public and other non-parties may submit letters of support/opposition to an appeal no later than 4 p.m. Thursday prior to scheduled hearing. (21)

From Office of the Assessor-Recorder, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-027) Copy: Supervisor Hall (22)

From Outer Mission Residents Association, submitting opposition to proposed resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses. File 030106, Copy: Supervisor Sandoval (23)

From Airport Commission, submitting expenditure reports that summarize spending by the Airport for Airfield tasks for each fiscal year by Section. (24)

From Office of the Controller, submitting amendment to Memorandum of Understanding with Local 856 Supervising Registered Nurses. File 030089, Copy: Finance Committee (25)

From Office of the Controller, submitting amendment to Memorandum of Understanding with Local 790 Staff and Per Diem Nurses. File 030088, Copy: Finance Committee (26)

From Department of Aging and Adult Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-051) Copy: Supervisor Hall (27)

From SF Convention Facilities, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-088) Copy: Supervisor McGoldrick (28)

From Muni, regarding duties and functions of Muni's long term planners and how they interact with

planners in other City departments. (Reference No. 20021216-20) Copy: Supervisor Hall (29)

From Department of Building Inspection, regarding policy on temporary placement of construction materials or construction refuses on City streets. (Reference No. 20030113-014) Copy: Supervisor McGoldrick (30)

From Danielle Steel, submitting request that the "17 Reasons Sign" in the Mission District be put back up. File 021653 (31)

From SF Superior Court, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-051) Copy: Supervisor McGoldrick (32)

From Office of the Controller, submitting Biannual Overtime Report. (33)

From Department of Parking and Traffic, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-058) Copy: Supervisor McGoldrick (34)

From Department of Parking and Traffic, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-055) Copy: Supervisor McGoldrick (35)

From Department of Parking and Traffic, regarding information sharing with the Police Department relating to stolen vehicles. (Reference No. 20021125-002) (36)

From Department of Parking and Traffic, regarding a pending hearing on public safety policies regarding individuals living in vehicles. (Reference No. 20021216-006) Copy: Supervisors McGoldrick, Sandoval (37)

From Fire Department, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-047) Copy: Supervisor McGoldrick (38)

From Mayor's Office of Neighborhood Services, regarding the status of available funding a San Francisco Day Labor Program. (39)

From Youth Commission, submitting opinion on proposed resolution establishing a multi-disciplinary task force on childhood obesity and related diabetes and resolution urging the Governor of California and the California State Legislature to cut prison spending and redirect that money to fund education. Files 021951, 030148 (40)

From Ethics Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-044) Copy: Supervisor McGoldrick (41)

From SF Architectural Heritage, regarding landmark status of the Market Street Railway Substation, Landmark 105 located at the southeast corner of Turk and Fillmore Streets. (42)

From Department of Human Resources, submitting annual report for 2001-02. (43)

From Office of the Controller, submitting Audited Financial Report for 2001-02. (44)

From Police Department, regarding Ordinance 126-01, Equal Access to City Schools for Limited English Speakers. (45)

MAYOR'S APPOINTMENTS

Health Commission
Michael Penn Jr.

Arts Commission
Ralph J. Guggenheim
Janice Mirikitani

Commission on the Status of Women
Dorka Kechn

Police Commission
Connie M. Perry

Taxi Commission
Martin B. Smith

Retirement Board
Brenda Wright

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

FEB 13 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 18, 2003 2:00 PM

DOCUMENTS DEPT.

FEB 13 2003

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Cruz, Sanchez

City Services Committee

Supervisors Dufy, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufy, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 p.m.

Wednesday

9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvr.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 21, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

1. 021913 [Expanding eligibility for the heart trouble and pneumonia presumption to certain members of the Police Department and Fire Department]
Supervisors McGoldrick, Peskin, Daly, Maxwell, Sandoval, Hall, Gonzalez
Ordinance amending section 16.86 of the San Francisco Administrative Code to provide that certain prior service in another police or fire department shall be counted toward qualification for the heart trouble and pneumonia presumption.
(Fiscal impact.)

2/11/2003. PASSED ON FIRST READING. Supervisors Sandoval, Hall and Gonzalez requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

2. 021995 [Revising administration of Police Emergency Alarm Ordinance]
Mayor, Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give the Director of Emergency Communications responsibility for administering the substantive provisions of the Police Emergency Alarm Ordinance and to provide for billing and collection of license and license renewal fees by alarm companies.
(Mayor)
- 2/11/2003, AMENDED.
2/11/2003, PASSED ON FIRST READING AS AMENDED. Supervisor Gonzalez requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
3. 022029 [To appropriate funding to accelerate a business tax collection program]
Supervisors McGoldrick, Peskin, Daly, Gonzalez, Newsom, Ma, Maxwell
Ordinance appropriating \$119,652 of Business Tax Revenues to the Treasurer/Tax Collector for the purpose of accelerating a business tax and penalties collection program, for fiscal year 2002-03.
(Fiscal impact.)
- 2/11/2003, PASSED ON FIRST READING. Supervisors Gonzalez, Newsom, Ma and Maxwell requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

Called from Finance Committee by Supervisor Daly4. 020549 [Special Use District to allow an approved live/work project convert to residential]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low- and lower income households with income not exceeding 50% of San Francisco's median income, which shall remain affordable for a period of 50 years from their date of initial occupancy, and (iii) upon completion, land title shall be transferred to and the off-site affordable housing building shall be owned, managed and operated by a nonprofit housing organization. If the nonprofit housing organization is dissolved, the affordable housing building and land shall be transferred to another nonprofit housing organization or, if no such organization can be found, shall revert to the City. Approval of the market rate housing project shall be through a conditional use authorization with payment of a \$10,000 fee if application is made within one year.

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

2/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

2/4/2003, CONTINUED AS AMENDED ON FIRST READING.

2/11/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/11/2003, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be **FINALLY PASSED**?

5. 020550 **[Zoning Map Amendment]
Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)

(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

1/21/2003, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

2/4/2003, PASSED ON FIRST READING.

2/11/2003, CONTINUED. Continued to February 18, 2003

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of Rules and Audits Committee

Present: Supervisors Hall, Gonzalez

6. 030154 **[Rules of Order to limit three unexcused absences for Supervisor from Committee]
Supervisor Peskin**

Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.

2/11/2003, CONTINUED. Continued to February 18, 2003

Question: Shall this Motion be ADOPTED?

7. 030076 **[Supervisors serving on outside Boards and Commissions]
Supervisors Gonzalez, Daly**

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board of Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board of Commission.

2/11/2003, CONTINUED. Continued to February 18, 2003

Question: Shall this Motion be ADOPTED?

8. 030176 [Appointment, Public Utilities Commission]
Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007.
(Mayor)
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Companion measure to Files 030177 and 030178.
Transmittal date - January 30, 2003.

2/11/2003, CONTINUED. Continued to February 18, 2003
Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Recommendation of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

9. 030031 [Establishing Monthly Contribution Amount]
Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Human Resources Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Finance Committee

The following items will be considered by the Finance Committee at a Regular Meeting on Wednesday, February 12, 2003. The Chair intends to request the Committee to send the following items to the Board as a committee report.

10. 030132 [Funding for the investigation and litigation against Tutor-Saliba Construction]
Supervisors Peskin, Daly
Ordinance appropriating, retroactive to July 1, 2002, \$2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 030145 [Contingency Fee Agreement]**Supervisors Peskin, Daly**

Resolution approving and authorizing a contingency fee agreement between the City and a law firm selected by the City Attorney, in connection with the litigation initiated by the City Attorney against Tutor-Saliba Corporation and related entities over construction projects at the San Francisco International Airport.

(Fiscal impact; Companion measure to File 030132.)

Question: Shall this Resolution be ADOPTED?

12. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

13. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

14. 030218 [Legislative Analyst Request]**Supervisor McGoldrick**

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and reporting their recommendations to the Finance Committee.

Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

15. 030086 [Existing Litigation - City and County San Francisco v. Tutor Saliba Corp.]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U. S. District Court No. C 02 5286, filed 11/1/02

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

(City Attorney)

Action: _____

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (b) & (c), and Administrative Code Section 67.10, for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 16 through 28

16. 030202 [US Flag Cruise Ships]
Supervisor Newsom
Resolution urging the drafting of legislation to provide for foreign-built, U.S.-flag cruise ships in the coastal United States similar to the Inouye amendment for Hawaii.
- 2/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
2/11/2003, CONTINUED. Continued to February 18, 2003
Question: Shall this Resolution be ADOPTED?
17. 030220 [International Museum of Women]
Supervisor Daly
Resolution exempting the potential lease of Pier 26 and Pier 24 annex to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
18. 030225 [Medical Marijuana Awareness Week]
Supervisor Daly
Resolution declaring February 15 through 22, 2003 as "Medical Marijuana Awareness Week" in San Francisco.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
19. 030226 [Commend SF Police Officers - Mission Station]
Supervisor Dufty
Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spate of Noe Valley Neighborhood Home Burglaries.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

20. 030237 [911 Digital Technology]
Supervisor Newsom
Resolution urging the Office of the District Attorney, the San Francisco Police Department, the Department of Telecommunications and Information Systems, the Emergency Communications Department, and the Department on the Status of Women to collaborate in order to consider and make recommendations on the advantages of bringing 911 digital technology to the City and County of San Francisco as another viable medium of combating domestic violence.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
21. 030238 [Commend Black History Month]
Supervisors Maxwell, Dufty, Ma
Resolution commending the recognition of Black History Month.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
22. 030240 [Commend Papillon III San Francisco]
Supervisor Ma
Resolution commending Papillon III San Francisco for its dedication and commitment to celebrating San Francisco's multicultural traditions.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
23. 030241 [Commend Helen Sause]
Supervisor Newsom
Resolution commending Helen Sause upon her retirement from the San Francisco Redevelopment Agency and for her numerous contributions to the City and County of San Francisco.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
24. 030242 [BART Board of Directors Appointment - District 7]
Supervisors Peskin, Maxwell, Hall, Dufty, McGoldrick, Daly, Newsom, Ma, Sandoval, Gonzalez
Resolution urging the BART Board of Directors to appoint a San Franciscan to the Board's currently vacant District 7 seat, due the essential role of San Francisco to BART and BART's critical role in San Francisco's transportation network.
- 2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

25. 030206 [Final Map for a 5 Unit Mixed Use Condominium Project]
Motion approving Final Map of 2801 Octavia Street / 1800 Union Street, A Mixed Use Condominium Project, being a subdivision of Lot 7 in Assessor's Block No. 530, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient.)

2/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
26. 030217 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/11/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
27. 030239 [Committee of the Whole - Presentation on Reinventing Government]
Supervisor McGoldrick
Motion scheduling a Committee of the Whole on February 25, 2003, at 3:00 p.m. to hear Ted Gaebler, author of Reinventing Government.

2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
28. 030227 [Committee of the Whole - Exploitation of Youth]
Supervisors Ammiano, Maxwell
Motion scheduling a Committee of the Whole for February 25th, 2003, at 3:00 p.m. to hear a presentation of the recommendations from Task Force to End the Exploitation of Youth.

2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

29. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 4, 2003 through noon on February 10, 2003, for reference by President to appropriate committee on February 18, 2003.

030146 [Changing Official Width of Sidewalk]

Supervisor McGoldrick

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

(Public Works Department)

(No Public Benefit Recipient.)

2/7/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 4, 2003 through noon on February 10, 2003, for reference by President to appropriate committee on February 18, 2003.

030179 [Lease of Real Property]

Resolution authorizing the exercise of a five year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health.

(Real Estate Department)

(Public Benefit Recipient.)

2/10/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030260 [Petitions and Communications]

Petitions and Communications received from February 6, 2003 through noon on February 12, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 18, 2003.

From San Francisco Planning and Urban Research Association, submitting support for Proposition A "instant runoff" ballot passed by San Francisco voters in March 2002. Copy: Each Supervisor (1)

From Academy of Sciences, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-072) Copy: Supervisor McGoldrick (2)

From Office of the Controller, regarding authorization for the San Francisco Finance Corporation to issue Lease Revenue Bonds. File 030131, Copy: Finance Committee (3)

From State Senate Rules Committee, submitting appointment of Gerald Cochran of Crescent City and John R. Giorgi of Gazelle to the Water Quality Control Board, North Coast Region. (4)

From Clerk of the Board, submitting copy of the Civil Service Commission's fiscal year 2001-02 annual report. (5)

From Mayor's Office of Criminal Justice, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-090) Copy: Supervisor McGoldrick (6)

From Office of the Controller, submitting annual Audit Plan report for fiscal year 2002-03. (7)

From Housing Authority, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-039) Copy: Supervisor McGoldrick (8)

From Department of Public Works, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-077) Copy: Supervisor McGoldrick (9)

From Office of the Legislative Analyst, submitting report regarding the purpose and history of all existing Business Improvement Districts in the City and County of San Francisco. File 021934, Copy: Supervisor Newsom (10)

From Office of the Controller, submitting report regarding the Human Rights Commission compliance audit of the sewer replacement contract between the Public Utilities Commission and J. Flores Construction Company, Inc. (11)

From Office of the Controller, submitting audit report of the department heads transition at the Department of Human Services. (12)

From Transportation Authority, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-049) Copy: Supervisor Hall (13)

From Transportation Authority, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-052) Copy: Supervisor McGoldrick (14)

From Department of Public Health, regarding implementation of Assembly Bill 1421 in the City and County of San Francisco. (Reference No. 20021112-002) Copy: Supervisor Newsom (15)

From Department of Human Services, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-071) Copy: Supervisor McGoldrick (16)

From Unitarian Universalistic Congregation of Marian, submitting support to preserve the 141 bed locked psychiatric mental health rehab facility at 887 Potrero Avenue. (17)

From Department on the Status of Women, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-059) Copy: Supervisor Hall (18)

From Office of the Treasurer, submitting report on the investment activity (for fiscal year to date) of the portfolios under management. (19)

From SF Youth Fund, requesting consideration to participate in the upcoming Annual Joint Fundraising Drive. (20)

From Public Utilities Commission, submitting resolution regarding concern with and opposition to provisions of the USA Patriot Act as adopted by the Library Commission at its February 4, 2003 regular meeting. (21)

From State Department of Health Services, submitting guidelines and forms for fiscal year 2001-02 County Health Services Program Contracts. (22)

From State Department of Health Services, submitting report regarding the net disproportionate share hospital revenue trust/special revenue fund balance for fiscal year 2001-02. (23)

From S.F. Building and Construction Trades Council, submitting copy of the "Agreement for Voluntary Payment of Prevailing Wages" dated February 10, 2003. File 030098 (24)

From Port, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-059) Copy: Supervisor McGoldrick (25)

From Department of Children, Youth and Their Families, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-089) Copy: Supervisor McGoldrick (26)

From Office of the Controller Audits Division, submitting report concerning the compliance audit of the as-needed engineering services contract between the Public Utilities Commission and CET/Gabble, a Joint Venture Association. (27)

From Planning Department, submitting background material on amendments to the Planning Code and Zoning Map to reclassify 2161 Sutter Street from NC-2 (Small-Scale Neighborhood Commercial) to RM-3 (Residential, Mixed, Medium Density) Zoning District. Copy: Each Supervisor (28)

From Arlene Campbell, submitting copy of the "Dispute Resolution Procedures" for the Northern District of California. (29)

From Ana Arguello, submitting support for proposed "4th and Freelon Street Special Use District. File 030098, Copy: Each Supervisor (30)

From John Junked, regarding Congresswoman Woolly and confirmation of Thomas Ridge as Secretary of Homeland Security. (31)

From Sue Hestor, regarding environmental review for the proposed 4th and Freelon Streets Special Use District. Files 030098, 020549, 020550, Copy: Each Supervisor (32)

From Department of Public Works, submitting report on quality of life issues surrounding the area around the Palace of Fine Arts. (Reference No. 20030113-022) Copy: Supervisor Newsom (33)

From Planning Department, submitting notice that Brian Grant (Praxis Architects) has filed for a building permit for property located at 119 Monterey Boulevard. (34)

From Department of Consumer Assurance, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-065) Copy: Supervisor McGoldrick (35)

From Port, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-059) Copy: Supervisor McGoldrick (36)

From Residential Rent Stabilization and Arbitration Board, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-083) Copy: Supervisor McGoldrick (37)

From Public Utilities Commission, submitting press release regarding revised power contract to save San Francisco \$16.5 million dollars. (38)

From Airport, regarding the Fleet ZIP program for the California Air Resources Board. (Reference No. 20030121-014) Copy: Supervisor Daly (39)

From Department of Parking and Traffic, regarding pending hearing on public safety policies regarding individuals living in vehicles. (Reference No. 20021216-007) Copy: Supervisor Sandoval (40)

From Oxygen Editions, submitting copy of letter sent to Police Chief Prentice Sanders regarding the environment around Union Square. (41)

From Patrick Monette-Shaw, regarding public testimony at Health Commission meeting of February 5, 2003 regarding proposed budget for fiscal year 2003-04. (42)

From James Bransten, commenting on the "Care not Cash" program passed by the voters of the City and County of San Francisco at the November 2002 election. (43)

ADJOURNMENT

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 25, 2003 2:00 PM

DOCUMENTS DEPT.

FEB 20 2003

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Cruz, Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-5784 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the January 27, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendation of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Dufty, McGoldrick

1. 030214 [Accept-Expend Gift]
Supervisors Dufty, Ma, McGoldrick, Newsom
Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of \$52,000 from the Friends and Foundation of the San Francisco Public Library for the James C. Hormel Gay and Lesbian Center.
(Public Library)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

2. 021589 **[Appointment]**
Resolution appointing Norman Yee, term ending April 29, 2006 to the Children and Families Trust Fund and Commission.
Norman Yee, succeeding Francisco Ramos-Gomez, term expired, Seat 8, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for the unexpired portion of a four-year term ending April 29, 2006.

Question: Shall this Resolution be ADOPTED?

3. 021639 **[Appointment]**
Resolution appointing Francine Braae, term ending October 1, 2003, to the Safe Haven for Newborns Task Force.
Francine Braae, new position, seat 1, must be a representative from the community with expertise in the area of domestic violence, for the unexpired portion of a one-year term ending October 1, 2003.

Question: Shall this Resolution be ADOPTED?

4. 030169 **[Appointment]**
Resolution appointing Joseph Berger (residency requirement waived) and Steve Trent, terms ending June 30, 2004, to the Union Square Business Improvement District Advisory Board.
Joseph Berger, (residency requirement waived) succeeding Michael Cassidy, resigned, seat 2, must be property owner within the Business Improvement District for the unexpired portion of a 5 year term expiring June 30, 2004.
Steve Trent, succeeding Mark Heinzelman, deceased, seat 3, must be property owner within the Business Improvement District for the unexpired portion of a 5 year term expiring June 30, 2004.

Question: Shall this Resolution be ADOPTED?

5. 030174

[Appointment]

Resolution appointing John Gressman (residency requirement waived), Robert Lull and Tracey Faulkner, terms ending January 15, 2006 to the Health Authority.

John Gressman, (residency waiver required) succeeding himself, term expired, seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for a 3 year term ending January 15, 2006.

Robert Lull, succeeding himself, term expired, seat 8, must be physician, and nominee of SF Medical Society, or any successor organization, for a 3 year term ending January 15, 2006.

Tracey Faulkner, succeeding Frederick Hobson, resigned, seat 11, must be a nominee of Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for a 3 year term ending January 15, 2006.

Question: Shall this Resolution be ADOPTED?

6. 030252

[Appointment]

Resolution appointing Levi Nnaemeda, term ending December 31, 2004 to the Development Disabilities Board.

Levi Nnaemeda, succeeding Theresa Gallegos, term expired, seat 1, represents general public, for the unexpired portion of a 3 year term ending December 31, 2004.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

Present: Supervisors Peskin, Daly, Maxwell

7. 030132 [Funding for the investigation and litigation against Tutor-Saliba Construction]
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell
Ordinance appropriating, retroactive to July 1, 2002, \$2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.
(Fiscal impact.)

2/18/2003, PASSED ON FIRST READING. Supervisors Ammiano, Gonzalez, McGoldrick and Maxwell requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

8. 030093 [Funding for the sale of lease-revenue bonds for citywide equipment]
Mayor
Ordinance appropriating \$4,200,633 from the sale of lease-revenue bonds by the San Francisco Finance Corporation to fund purchase of equipment citywide for fiscal year 2002-03; placing \$455,000 on reserve.
(Mayor)
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
9. 030159 [Appropriate bond interest earnings for construction of the Asian Art Museum]
Ordinance appropriating \$2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and \$1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of \$3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03.
(Controller)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 030167 [Patient Rates]
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance.
(Public Health Department)
(No Public Benefit Recipient.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
11. 030131 [2003 Finance Corporation Equipment Program]
Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 10 (Series 2003A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$11,750,000; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
(Mayor)
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?
12. 030147 [Public Auction of Tax-defaulted Property]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Neighborhood Services and Recreation Committee

Present: Supervisors Newsom, Dufty, McGoldrick

13. 021940 [Liquor License, 77 Natoma Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jennifer L. Rogers and Kerri L. Stephens for "Varnish Fine Art LLC" located at 77 Natoma Street (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

14. 022024 [Liquor License Transfer, 1737 Post Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 22 Peace Plaza to 1737 Post Street, Japanese Cultural Center (District 5), to Jay Naganuma for Maruwa Foods Company of America for the purpose of upgrading its current Type 20 off-sale beer and wine alcoholic beverage control license, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty

15. 030213 [Appointment]

Resolution appointing Supervisor Matt Gonzalez, term ending June 30, 2003 to the Association of Bay Area Governments Executive Board.

Supervisor Matt Gonzalez, succeeding Supervisor McGoldrick, resigned, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a 2 year term ending June 30, 2003. Supervisor Gonzalez excused from the vote.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Dufty, Gonzalez

16. 030215 [Appointment]

Resolution appointing Supervisor Fiona Ma, term ending June 30, 2004 to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding Supervisor Gavin Newsom, resigned, seat 6, alternate position in odd numbered years, must be a member of the Board of Supervisors, for the unexpired portion of a 2-year term ending June 30, 2004.

Question: Shall this Resolution be ADOPTED?

17. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

18. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 19 through 30

19. 030226 [Commend SF Police Officers - Mission Station]

Supervisors Dufty, Hall

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spate of Noe Valley Neighborhood Home Burglaries.

2/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/18/2003, AMENDED. Amended on page 1, line 5, to replace "spade" with "spate". (New Title)

Supervisor Hall requested to be added as a co-sponsor.

2/18/2003, CONTINUED. Continued to February 25, 2003

Question: Shall this Resolution be ADOPTED?

20. 030275 [~~Accept~~- Expend State Grant]

Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$106,686 from the California Resources Agency - Coastal Impact Assistance Program for the Downtown Ferry Terminal Public Pier Project.

2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

21. 030277 [Supporting Sustainable Harvesting and Labeling of Seafood]

Supervisor Sandoval

Resolution supporting the promotion of sustainable harvesting and labeling of seafood in San Francisco restaurants and markets.

2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

22. 030278 [Supporting Protection of Chilean Sea Bass]
Supervisor Sandoval
Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.
- 2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
23. 030279 [GlaxoSmithKline Boycott]
Supervisor Sandoval
Resolution urging GlaxoSmithKline to reconsider its decision to stop distribution of prescription drugs to Canadian pharmacies that sell to U.S. customers.
- 2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
24. 030228 [Final Map for a 135 Unit Residential Condominium Project]
Motion approving Final Map of Oceanview Village, 3995 Alemany Boulevard, a Residential / Commercial Condominium Project, being a subdivision of Airspace, Lot 9 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,952; District No. 11.)
- 2/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
25. 030229 [Final Map for a 57 Unit Condominium Project]
Motion approving Final Map of Oceanview Village, 3981 Alemany Boulevard, a Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,953; District No. 11.)
- 2/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
26. 030230 [Final Map for a 135 Unit Residential Condominium Project]
Motion approving Final Map of Oceanview Village, 8300 & 8400 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,954; District No. 11.)
- 2/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

27. 030231 [Final Map for a 90 Unit Residential Condominium Project]
Motion approving Final Map of Oceanview Village, 8200 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 16 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order 173,955; District No. 11.)

2/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

28. 030234 [Final Map for a 90 Unit Mixed Use Condominium Project]
Motion approving Final Map of Oceanview Village, 8100 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,956; District 11.)

2/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

29. 030265 [Extending Time for Negotiations]
Mayor
Motion extending time for negotiations pursuant to Charter Section 11.100.
(Mayor)

2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

30. 030269 [Canceling the March 11, 2003 Board of Supervisors Meeting]
Motion canceling the March 11, 2003, regularly scheduled meeting of the Board of Supervisors.
(Clerk of the Board)

2/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

31. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 11, 2003 to February 14, 2003, for reference by President to appropriate committee on February 25, 2003.

030207 [2161 Sutter Street - Zoning Map Change]

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

2/13/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030246 [Surcharge on taxi trips originating at Airport]

Ordinance amending Section 1135 of the Police Code to provide \$2 surcharge on taxi fares for trips originating at San Francisco International Airport. (Taxi Commission)

(No Public Benefit Recipient.)

2/14/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 11, 2003 to February 14, 2003, for reference by President to appropriate committee on February 25, 2003.

030233 [Provide car seats and information to pregnant and parenting teens]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$2,500 from the State of California Department of Health Services (CDHS), to implement a car seat bank program; for the period of December 15, 2002 through January 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

2/13/2003, RECEIVED AND ASSIGNED to City Services Committee.

030235 [Cover the Uninsured Week]

Resolution endorsing and supporting Cover the Uninsured Week, encouraging San Franciscans to attend the week's events to offer ideas and recommendations to address the problem of the uninsured, and proclaiming March 10 through 16 "Cover the Uninsured Week" in San Francisco.

(Public Health Department)

(No Public Benefit Recipient.)

2/14/2003, RECEIVED AND ASSIGNED to City Services Committee.

030243 [Ratify Port Emergency Repair Contract]

Resolution ratifying San Francisco Port Commission emergency contract for recovery and repair of marine vessel known as Drydock #1.

(Port)

(No Public Benefit Recipient.)

2/14/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030247 [Accept-Expend Federal Grant]

Resolution Authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice - Office of Community Oriented Policing for a project entitled "COPS-MORE 2002; Crime Analysis Hardware and Software".

(Police Department)

(No Public Benefit Recipient.)

2/14/2003, RECEIVED AND ASSIGNED to City Services Committee.

030295 [Petitions and Communications]

Petitions and Communications received from February 13, 2003 through noon on February 19, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 25, 2003.

From Department of Administrative Services, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-074) Copy: Supervisor McGoldrick (1)

From Department of Elections, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-086) Copy: Supervisor McGoldrick (2)

From Public Library, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-079) Copy: Supervisor McGoldrick (3)

From Department of Human Resources, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-079) Copy: Supervisor McGoldrick (4)

From Office of the Controller, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-042) Copy: Supervisor McGoldrick (5)

From Airport, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-036) Copy: Supervisor McGoldrick (6)

From Office of Contract Administration, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-087) Copy: Supervisor McGoldrick (7)

From Public Utilities Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-069) Copy: Supervisor McGoldrick (8)

From Department of Building Inspection, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-053) Copy: Supervisor McGoldrick (9)

From Department of Telecommunications and Information Services, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-082) Copy: Supervisor Hall (10)

From Office of the City Administrator, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-061) Copy: Supervisor Hall (11)

From Ethics Commission, submitting revised copy of policy regarding responding to inquiries from the public. (Reference No. 20030113-002) Copy: Supervisors Gonzalez, Ammiano (12)

From Office of the Controller, submitting fiscal year 2002-03 six-month budget status report based on funds received and uses of funds expended through December 31, 2002. (13)

From Telecommunications Commission, regarding analysis of the RCN OVS Franchise proposal. (Reference 20021216-016) Copy: Supervisor Hall, Land Use Committee (14)

From Department of Telecommunications and Information Services, regarding viewing hours on the City's public access cable television channel, Access San Francisco, allotted to nonprofit community organizations and groups. (Reference No. 20021216-025) Copy: Supervisor Ma (15)

From Office of the Controller, Audits Division, submitting audit report of the department heads transition at the Police Department. (16)

From Michael Strausz & Company, Inc., submitting report regarding proposed affordable housing units on Masonic Avenue (Muni Bus Depot). (17)

From Department of Telecommunications and Information Services/Emergency Communications Department, responding to the following request: (1) the feasibility of establishing a customer service telephone line for the public to access when attempting to contact any city department; including any staff positions and programmatic costs necessary to operationalize such a program (Reference No. 20030115-018), (2) status on the implementation of the 311 Non-Emergency Telephone System Strategic Plan and other related activities. (Reference No. 20030113-019 and 20030113-020) (18)

From Comcast Cable Communications, Inc., submitting notice that Comcast will begin the process of re-branding the former AT&T Broadband cable systems beginning February 14, 2003. (19)

From Department of Telecommunications and Information Services, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-085) Copy: Supervisor McGoldrick (20)

From Office of the Treasurer & Tax Collector, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-032) Copy: Supervisor McGoldrick (21)

From Redevelopment Agency, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-080) Copy: Supervisor McGoldrick (22)

From Department of Building Inspection, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-053) Copy: Supervisor McGoldrick (23)

From Department of Consumer Assurance, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-065) Copy: Supervisor

McGoldrick (24)

From State Senate Rules Committee, submitting reappointment of Jack Clarke of Apple Valley to the Water Quality Control Board, Lahontan Region. (25)

From State Senate Rules Committee, submitting reappointment of Bruce Daniels of Capitola and Gary Shallcross of Monterey to the Water Quality Control Board, Central Coast Region. (26)

From State Senate Rules Committee, submitting reappointment of Leon Lesicka of Brawley to the Water Quality Control Board, Colorado River Basin. (27)

From State Public Utilities Commission, submitting notice that PG&E has filed an application regarding adoption of its 2003 Energy Resource Recovery Account (ERRA) revenue requirement estimate. (28)

From Branch Library Improvement Program, submitting September - December 2002 Quarterly Report from the Branch Library Improvement Program. (29)

From Department of Elections, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-083) Copy: Supervisor Hall (30)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for regulations governing the posting of banners. Copy: Each Supervisor (31)

From Office of the Controller, Audits Division, submitting financial audit of the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector for the quarter year ended September 30, 2002. (32)

From Fire Department, submitting notice of annual inspection of County Jail No. 2, 850 Bryant Street, 7th Floor relative to fire and life safety. (33)

From Department of Administrative Services, regarding efforts to secure funding under the Fleet ZIP program of the California Air Resources Board. (Reference No. 20030121-011) Copy: Supervisor Daly (34)

From Department of Public Health, regarding investigation and report on environmental safety concerns at 850 Bryant Street. (Reference No. 20021209-009) Copy: Supervisor Newsom (35)

From Human Rights Commission, regarding appropriating funds to not-for-profit service providers. Copy: Supervisor Hall (36)

From James Ludwig, submitting an article from the Stanford Daily (dated February 11, 2003) headlined "Palo Alto Condemns War on Iraq." (37)

From CALFED Bay-Delta Program, submitting copy of the CALFED Bay-Delta Program's Annual Report for 2002. (38)

From Adult Probation Department, submitting notice that the department's notification of Immigration & Naturalization Service occurs during the pre-sentence report investigation process. (Reference No. 20030113-043) Copy: Supervisor McGoldrick (39)

From Department of Human Services, submitting notice that at this time the Department is in discussion with the directors of the three largest shelters to explore the possibility of installing metal detectors as a security measure in homeless shelters. (Reference No. 2003113-024) Copy: Supervisor Newsom (40)

From Department of Human Services, regarding efforts of City departments to address the Digital Divide, including recommendations, for City policymakers about the Digital Divide. (Reference No. 20030113-005) Copy: Supervisor Daly (41)

From Planning Department, submitting report entitled "An Element of the San Francisco General Plan" dated February 2003. (42)

From "The Fund for Animals", regarding animal testing in the research labs at UCSF. (43)

From Joy Hahn, regarding the current budget deficit in the City and County of San Francisco. Copy: Each Supervisor (44)

From Glen Fowler, regarding street parking in the Financial District on Presidents Day. Copy: Each Supervisor, Muni, Department of Parking and Traffic (45)

From David Black, regarding proposed building at Fourth/Freelon Streets. Files 020549, 020550 (46)

From S.R. Cookman, regarding approval of MTC's transportation plans for next year. Copy: Each Supervisor (47)

From David McClung, regarding appointment of Ben Hom as a member of the Port Commission. (48)

ADJOURNMENT

03

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 4, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 p.m.

Wednesday

9:30 AM

DOCUMENTS DEPT.

FEB 27 2003

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 4, 2003 and February 11, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the City Services Committee

Present: Supervisors: Dufty, Ma, Newsom

1. 030001 [Mental health services to HIV positive women and their adult family members]
Supervisors Ma, Dufty
Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement in the amount of \$30,750 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 030023 [Child Care Health Linkages]**Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$84,328.13 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of July 1, 2002 to June 30, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030032 [Healthy eating and childhood overweight prevention services]**Supervisors Dufty, Ma**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$113,788 from the California Department of Health Services (CDHS) for healthy eating and childhood overweight prevention and to enter into an agreement for the use of these funds; for the period of August 1, 2002 to September 30, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 030035 [Grant - Family literacy program for women prisoners in the county jail]**Supervisors Dufty, Ma**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$33,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail.

(Sheriff)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 030046 [Emergency Management Assistance Grants]**Mayor**

Rescinding Resolution No. 193-98; Authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the State Domestic Preparedness Grant Program, and Public Law 107-26.

(Mayor)

Question: Shall this Resolution be ADOPTED?

6. 030160 [Accept-Expend Foundation Grant]
Supervisors Duffy, Ma
Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$15,000 from the San Francisco Foundation for providing technical assistance to schools that are starting and maintaining organics waste collection programs.
(Environment)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

7. 030163 [Accept-Expend Grant]
Supervisors Duffy, Ma
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program."
(District Attorney)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

8. 030168 [Accept-Expend State Grant]
Supervisors Duffy, Ma
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$9,765.23 from the California Integrated Waste Management Board for assistance in the development of markets for recycled and re-manufactured products.
(Environment)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

9. 030211 [Accept- Expend Federal Grant]
Supervisors Duffy, Ma
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$50,000 from the U.S. Department of Energy for the promotion of renewable energy through the Million Solar Roofs Grant Program.
(Public Utilities Commission)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

10. 030093 [Funding for the sale of lease-revenue bonds for citywide equipment]
Mayor
- Ordinance appropriating \$4,200,633 from the sale of lease-revenue bonds by the San Francisco Finance Corporation to fund purchase of equipment citywide for fiscal year 2002-03; placing \$455,000 on reserve.
- (Mayor)
(Fiscal impact.)

2/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 030159 [Appropriate bond interest earnings for construction of the Asian Art Museum]
Ordinance appropriating \$2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and \$1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of \$3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03.
(Controller)
(Fiscal impact; No Public Benefit Recipient.)

2/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 030167 [Patient Rates]
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance.
(Public Health Department)
(No Public Benefit Recipient.)

2/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma

13. 030088 [MOU, Local 790, for staff nurses and per diem nurses]
Supervisor Newsom
Ordinance adopting and implementing an amendment to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 790, AFL-CIO for staff nurses and per diem nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 030089 [MOU, Local 856 for Supervising Nurses]
Supervisor Newsom
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma, Newsom

15. 021857 [Amend Health Code - Lead Hazard Definition Amendment]
Supervisor Ammiano
Ordinance amending Section 1601 of Article 26 of the San Francisco Health Code to change the title of the Article to emphasize the lead poisoning prevention aspect of the Article; amending the definitions for various lead hazards in Section 1603 of Article 26 of the San Francisco Health Code to conform with the newly promulgated lead levels from the United States Environmental Protection Agency ("USEPA") and the California Department of Health Services ("CDHS") for Dust-Lead Hazard; conforming the terms used in the Article to those used by USEPA and CDHS; amending the definitions for "Case-Managed Child," "Elevated Blood Lead Child" and "Lead-Poisoned Child" to conform with the new requirements from the California Department of Health Services regarding case-management of lead-poisoned children, and making conforming changes to Sections 1601, 1602, 1604, 1617, and 1626.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 030205 [Mixed-use development project at 10th and Market Streets]
Supervisors Daly, Dufty
Resolution endorsing the concept of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and directing City staff to identify the key terms and conditions of agreements effectuating such a project.

2/11/2003, REFERRED to City Services Committee. Supervisor Dufty requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

17. 030210 [Liquor License Transfer, 442 Jessie Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 177 Townsend Street to 442 Jessie Street (District 6), to Audrey Joseph for Night Gallery, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

18. 030245 [Funding for the program management services for PUC capital projects]
Mayor
Ordinance appropriating \$5,600,000 of fund balance from the Water Department, \$560,000 of fund balance from Hetch Hetchy, and \$840,000 of fund balance from Clean Water for a total of \$7,000,000 for program management services for the Public Utilities Commission's capital projects for fiscal year 2002-03, placing \$5,188,465 on Finance and Audits Committee Reserve.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 030219 [Amended Power Purchase Contract]
Supervisor Peskin
Resolution approving an amended contract with Calpine Energy Services for the purchase of electricity through June 30, 2006.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

20. 030266 [Continuation of Public Utilities Commission's contract for Program Management Services]
Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) through April 30, 2003.
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

21. 030029 [Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]
Supervisors Ammiano, Maxwell
Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 030146 [Changing Official Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
(Public Works Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 021859 [Precautionary Principle]
Supervisors Peskin, Gonzalez, Sandoval, Ammiano, Daly, McGoldrick, Ma, Maxwell
Resolution supporting the precautionary principle and requesting the Department of the Environment to prepare and submit legislation proposing the adoption of the precautionary principle as a general City policy and integrating a precautionary principle approach into the City's existing process for the purchase of commodities for the Board of Supervisors' consideration.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**24. 030253 [Public Hearing - Appeal, Conditional Use - 1193 Oak Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16504 dated January 9, 2003 approving, pursuant to Planning Code Sections 303 and 209.2(d), Conditional Use Application No. 2002.1007C to allow the establishment of a Bed and Breakfast Inn with five guest rooms within the existing second floor dwelling unit of a building in an RM-2 District and a 40-X Height and Bulk District, located at 1193 Oak Street, southeast corner at Broderick Street; Lot 023, in Assessor's Block 1218.

(Appeal filed February 10, 2003; Categorically exempt from environmental process pursuant to the California Environmental Quality Act (CEQA); companion measure to Files 030254; 030255; 030256; District 5.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**(Only one of the following two motions should be adopted.)****25. 030254 [Appeal, Conditional Use - 1193 Oak Street]**

Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

26. 030255 [Appeal, Conditional Use - 1193 Oak Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

27. 030256 [Findings - 1193 Oak Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located 1193 Oak Street, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Land Use Committee

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, March 3, 2003. The Chair intends to request the Committee to send the following item to the Board as a committee report.

28. 030097 [Designate the 1338 Filbert Street Cottages as a Landmark]
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell
Ordinance amending Appendix A of Planning Code Article 10 to designate the 1338 Filbert Street Cottages as Landmark No. 232.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

31. 030313 [Legislative Analyst Request]**Supervisors Ammiano, Ma, Maxwell**

Motion requesting the Office of the Legislative Analyst, in consultation with the San Francisco Unified School District, research and report on existing SFUSD teacher salaries compared to California and national averages, adjusted to reflect the cost of living in the Bay Area, and on teacher housing initiatives, including housing subsidies, employed by other jurisdictions.

Question: Shall this Motion be ADOPTED?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

City as Defendant

32. 030320 [Closed Session - Anticipated Litigation As Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) which may occur regarding a requested disclosure of unredacted telephone records of members of the Board of Supervisors by Michael Stoll. At a February 25, 2003, meeting of the Sunshine Ordinance Task Force, Mr. Stoll threatened litigation against the Board of Supervisors if he did not receive the requested telephone records. The City Attorney advises that, based upon Mr. Stoll's statement, there is a significant exposure to litigation against the City.

Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) would permit this closed session.
(City Attorney)

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

Question: Shall this Motion be ADOPTED?

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 42

33. 030215 [Appointment]
Resolution appointing Supervisor Fiona Ma, term ending June 30, 2003 to the Association of Bay Area Governments Executive Board.
Supervisor Fiona Ma, succeeding Supervisor Chris Daly, resigned, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a 2-year term ending June 30, 2003.

2/3/2003, RECEIVED AND ASSIGNED to Rules and Audits Committee.
2/7/2003, TRANSFERRED to Rules Committee. New committee structure 2/17/03.
2/25/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
2/25/2003, CONTINUED AS AMENDED. Continued to March 4, 2003 For Adoption Without Committee Reference Agenda
Question: Shall this Resolution be ADOPTED?
34. 030316 [Accept- Expend State Grant - Port Commission]
Supervisor Maxwell
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$143,200 from the State of California San Francisco Bay Natural Resources Protection Trust for the Pier 94 Wetlands Enhancement Project.
(No Public Benefit Recipient.)

2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 030317 [Urge Governor Davis to sign AB4X, Stage III Child Care Funding]
Supervisor Ma
Resolution urging Governor Gray Davis to support California's young children, working parents, and small and large businesses by ensuring continued funding for Stage III Child Care by signing AB4X.

2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 030318 [Commend International Women's Day]
Supervisor Ma
Resolution commending International Women's Day.

2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

37. 030319 [Support SB 50 and AB 83]
Supervisor McGoldrick
Resolution Supporting SB 50 and AB 83 Regulating Bottled Water within California.
- 2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 030329 [Accept-Expend State Grant - Recreation and Park Department]
Supervisor Maxwell
Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of \$200,000 from the California Department of Parks and Recreation under the Fiscal Year 2000 Park Bond Act: Regional Youth Soccer and Baseball Facilities for the renovation of the Soccer Field at Youngblood Coleman Recreation Center.
(No Public Benefit Recipient.)
- 2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 030330 [Zero Emission Vehicles]
Supervisor Daly
Resolution urging the California Air Resources Board to (1) maintain the state's zero-emission vehicle (ZEV) production requirement, (2) prevent a near term "ZEV blackout" where no ZEVs are actually required, and (3) provide stronger incentives for high quality hybrid EVs that will provide real "pure zero emission" miles and accelerate the introduction of ZEVs.
- 2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 030331 [Woodburning]
Supervisor Daly
Resolution urging the residents of the City and County of San Francisco to eliminate or reduce wood burning in residential fireplaces and wood burning stoves as a way to reduce toxic air pollution during the winter months.
- 2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 030332 [Support Assembly Bill 45]
Supervisor Daly
Resolution supporting Assembly Bill 45, regulating the use of mobile telephones while operating a motor vehicle.
- 2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

42. 030299 [Needle Exchange Emergency]
Supervisors Amuniano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

2/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 18, 2003 through February 24, 2003, for reference by President to appropriate committee on March 4, 2003.

030249 [Settlement of Lawsuit - Paul T. Hare]

Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for \$125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco.

(City Attorney)

(Public Benefit Recipient.)

2/19/2003, RECEIVED AND ASSIGNED to Rules Committee.

030250 [Increase Lobbyist Fees and Late Filing Fines]

Ordinance amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from \$300.00 to \$500.00; client fees from \$50.00 to \$75.00; and late filing fines from \$25.00 per day to \$50.00 per day.

Version

(Ethics Commission)

(No Public Benefit Recipient.)

2/19/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030251 [Settlement Prior to Binding Arbitration]

Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002.

(City Attorney)

(No Public Benefit Recipient.)

2/21/2003, RECEIVED AND ASSIGNED to Rules Committee.

030273 [Administrative Code Revision: Health Service System]

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Human Resources Department)

(No Public Benefit Recipient.)

2/24/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

2/27/2003, TRANSFERRED to Budget Committee.

030274 [Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]

Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station.

(Parking and Traffic Department)

(No Public Benefit Recipient.)

2/24/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 18, 2003 through February 24, 2003, for reference by President to appropriate committee on March 4, 2003.

030248 [Contract Modification for URS Corporation]

Resolution approving Modification No. 5A to Contract No. 4240.1 with URS Corporation for preparation of environmental impact studies for the proposed runway reconfiguration project for a total contract amount not to exceed \$19,741,558.
(Airport Commission)
(No Public Benefit Recipient.)

2/20/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030287 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH
20th Street, both sides, between Church and Sanchez Streets (3900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fell Street, south side, from 167.5 feet to 171 feet west of Divisadero Street (in front of 1217 - 1221
Fell Street, accommodates one unmetered motorcycle parking stall)
(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

2/24/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030288 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

24th and Tennessee Streets, stopping 24th Street at Tennessee Street;
18th and Danvers Streets, stopping Danvers Street, making this intersection an all-way STOP;
Gough Street at Francisco Street, stopping at Gough Street, making this intersection an all-way STOP;
Octavia Street at Francisco Street, stopping Octavia Street, making this intersection an all-way STOP;
and
Alhambra, Francisco and Scott Streets, stopping Scott Street, making this intersection an all-way
STOP.

(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

2/24/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030289 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED, 6 AM to 8 PM, DAILY - ESTABLISH
Drumm Street, northbound and southbound, at Sacramento Street.
(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

2/24/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED MOTIONS

Proposed motions received from February 18, 2003 through February 24, 2003, for reference by President to appropriate committee on March 4, 2003.

030281 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Michael Brown to the Entertainment Commission, term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030282 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Michael Brown to the Entertainment Commission for the term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030283 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030284 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission for the term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030285 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Jordan Schlain to the Entertainment Commission, term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030286

[Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Jordan Schlain to the Entertainment Commission for the term to be determined.
(Mayor)

2/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030333 [Petitions and Communications]

Petitions and Communications received from February 20, 2003 through noon on February 24, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 4, 2003.

From Global Impact, submitting request to participate in the 2003 City and County Annual Joint Fundraising Drive. (1)

From Ashley Jones, regarding Crocker Skateboard Park in San Francisco. Copy: Supervisors Maxwell, Sandoval (2)

From Central American Resource Center, regarding funds received as a non-profit service provider. (Reference No. 20021216-087) Copy: Supervisor Hall (3)

From Fine Arts Museums, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-082) Copy: Supervisor McGoldrick (4)

From Employees' Retirement System, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-061) Copy: Supervisor McGoldrick (5)

From Ralph Daniels, submitting support for mandatory spending limits on local elections. (6)

From Ruth and Ed Adams, submitting support for financial privacy legislation. File 021339 (7)

From Ira and Leonore Gershwins Trusts, submitting copy of letter sent to City Attorney Dennis Herrera regarding Tudor-Saliba Construction. Copy: Each Supervisor (8)

From Shalonda Baldwin, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-088) Copy: Supervisor Hall (9)

From Tys Sniffen, Natural Areas Program Citizen's Advisory Committee, submitting request for financial support for both clerical assistance and technical input. (10)

From Port, regarding efforts to secure funding under the Fleet ZIP program of the California Air Resources Board. (Reference No. 20030121-013) Copy: Supervisor Daly (11)

From California Council on Problem Gambling, announcing the First Annual National/California Problem Gambling Awareness Week March 10-14, 2003. (12)

From City Hub Neighborhood Alliance, regarding public hearing on the tragic death of a child standing on the sidewalk at 24th Street and Potrero Avenue. (13)

From Patrick Malone, submitting request for public hearing for proposed project located at 40-50 Lansing Street. (14)

From Department of Human Resources, submitting annual approval of rates and benefits adopted by the Health Service Board and Amendment of Section 16.157 of the San Francisco Administrative Code. Copy: Supervisor Gonzalez (15)

From Aging and Adult Services Commission, submitting resolution urging the Board to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services. Copy: Each Supervisor (16)

From Florence Hochman, submitting opposition to closing the East End of Golden Gate Park to cars on Saturdays. Copy: Each Supervisor (17)

From Office of Legislative Analyst, submitting report regarding the regulatory process for approval of the James R. Herman Cruise Ship Terminal at Piers 30 and 32. (18)

From Patrick Malone, submitting notice of errata and correction of "Appeal of Certification of Mitigated Negative Declaration" for proposed project located at 40-50 Lansing Street. (19)

From Human Rights Commission, regarding funds received as a non-profit service provider. Copy: Supervisor Hall (20)

From Gina Carducci, concerning whether charges brought against 4 non-violent protestors at 1900 Market Street on February 6, 2003 at 7 p.m. Copy: District Attorney (21)

From Department of Parking and Traffic, regarding traffic study evaluation and "No Turn on Red" restrictions at Lowell Street and Naglee Avenue at Mission Street. (Reference No. 20021125-006) Copy: Supervisor Sandoval (22)

From Karen Cliffe, submitting opposition to a "Residential Parking" restricted zone on 17th Street between Shrader and Stanyan. File 030166 (23)

From Airport, submitting copy of letter sent to budget analyst regarding review of both the URS and HNTS spreadsheets, which provide the detail on the tasks, deliverables and associated costs. (24)

From Office of the Mayor, regarding funds received as a non-profit service provider. Copy: Supervisor Hall (25)

ADJOURNMENT

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

Notice of Canceled Board of Supervisors Meeting

March 11, 2003

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the San Francisco Board of Supervisors for March 11, 2003 has been canceled.

The next regular meeting will be held on Tuesday, March 18, 2003 in the Legislative Chambers, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco.

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 18, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the February 18, 2003 and February 25, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Mayor's veto of ordinance appropriating funding for the investigation and litigation against Tutor-Saliba Construction (File 030132). The ordinance will be calendared for re-consideration on March 25, 2003. Override of a veto requires 2/3rds vote (8 votes) of the Board, the Board may either vote the legislation up or down, no amendments. The Board must act on the veto override within 30 days of the date of the veto (March 7, 2003). The last regular Board meeting for Board action on the veto will be April 1, 2003.

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

1. 030179 [Lease of Real Property]
Resolution authorizing the exercise of a five year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

2. 030128 [Training programs for clinical and related professionals]

Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an amendment to a contract agreement with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of \$5,000 for research services; for the period of July 1, 2002 to June 30, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030233 [Provide car seats and information to pregnant and parenting teens]

Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$2,500 from the State of California Department of Health Services (CDHS), to implement a car seat bank program; for the period of December 15, 2002 through January 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 030235 [Cover the Uninsured Week]

Supervisors Dufty, Ma

Resolution endorsing and supporting Cover the Uninsured Week, encouraging San Franciscans to attend the week's events to offer ideas and recommendations to address the problem of the uninsured, and proclaiming March 10 through 16 "Cover the Uninsured Week" in San Francisco.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

5. 030165 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Genessee Street and Joost Avenue, stopping Genessee Street and Joost Avenue, making this intersection an all-way STOP;

Castro Street, stopping northbound Castro Street at Bemis and Sussex Streets;

Milton I. Ross Street and Jerrold Avenue, stopping both eastbound and westbound Milton I. Ross Street; and

Lettuce Lane and Jerrold Avenue, stopping eastbound Lettuce Lane at Jerrold Avenue.

(Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

6. 030166 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Russian Hill Place, east side, from Vallejo to 15 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Point Lobos Avenue, south side, from 40th Avenue to 80 feet westerly (adjacent to center roadway island).

TOW-AWAY, NO PARKING ANYTIME, 10 PM - 6 AM, EVERYDAY - ESTABLISH

Executive Park Boulevard, east side, between Alana Way and Blanken Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Ervine Street, west side, from Wilde Street to 346 feet southerly;

South Park Avenue, both sides, from 2nd Street to 125 feet westerly; and

South Park Avenue, both sides, from 3rd Street to 125 feet easterly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY -

ESTABLISH

18th Street, both sides, between 3rd and Tennessee Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

7th Street, west side, from 48 to 76 feet north of Townsend Street (accommodates six unmetered motorcycle parking spaces); and

UNMETERED MOTORCYCLE PARKING - ESTABLISH

8th Street, east side, from Division Street to 10.5 feet northerly (accommodates three unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

17th Street, both sides, between Shrader and Stanyan Streets (4900 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - RESCIND

Rose Street, north side, from Market Street to 26 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Arkansas Street, east side, from 50 feet south of 17th Street to Marioposa Street (100 block, starting with address #113); and

Arkansas Street, west side, between 17th and Mariposa Streets (100 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

25th Street, both sides, between Church and Dolores Streets (3800 block);

Church Street, both sides, between 25th and Clipper Streets. (portion of the 1300 block);

Fair Oaks Street, both sides, between 21st and 22nd Streets (Unit block); and

Valencia Street, east side, from 22nd to 23rd Streets (1100 block).

(Note: The meters will not be removed and Residential Permit Parking signs will not be installed on Valencia Street.)

(Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

7. 021545 [Appointments]
Resolution appointing Cheryl Brinkman, Susan Vaughn, Ken Kelton, Jeanne Lynch, Pi Ra, Howard Strassner, Shirley Bierly, Ed Franklin, and Sharon Priest, terms to be determined, to the Pedestrian Safety Advisory Committee.
Cheryl Brinkman, new position, seat 1, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Susan Vaughn, new position, seat 2, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Ken Kelton, new position, seat 3, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Jeanne Lynch, new position, seat 4, must be a representative from a senior or disability organization, for a two-year term (ending date to be determined);
Pi Ra, new position, seat 6, must be a representative from a bicycle or other non-motorized wheeled personal transport organization, for a two-year term (ending date to be determined);
Howard Strassner, new position, seat 7, must be a representative from a transit or environmental organization, for a two-year term (ending date to be determined);
Shirley Bierly, new position, seat 9, must be a representative from a public health organization, for a two-year term (ending date to be determined);
Ed Franklin, new position, seat 10, must be a representative from the public at-large, for a two-year term (ending date to be determined);
Sharon Priest, new position, seat 11, must be a representative from the public at-large, for a two-year term (ending date to be determined).

Question: Shall this Resolution be ADOPTED?

8. 030259 [Appointments]
Motion appointing Jim Meko, Terrance Alan and Erik Joseph Pred, terms to be determined, to the Entertainment Commission.
Jim Meko, new position, seat 1, shall represent the interests of City neighborhood associations or groups for a term to be determined.
Terrance Alan, new position, seat 2, shall represent the interests of entertainment associations or groups for a term to be determined.
Erik Joseph Pred, new position, seat 3, shall represent the interests of the public health community for a term to be determined.

Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma

9. 030088 [MOU, Local 790, for staff nurses and per diem nurses]
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly
Ordinance adopting and implementing an amendment to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 790, AFL-CIO for staff nurses and per diem nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.
(Fiscal impact.)

3/4/2003, PASSED ON FIRST READING. Supervisors Ammiano, Dufty, Maxwell and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

10. 030089 [MOU, Local 856 for Supervising Nurses]
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.
(Fiscal impact.)

3/4/2003, PASSED ON FIRST READING. Supervisors Ammiano, Dufty, Maxwell and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

11. 021857 [Amend Health Code - Lead Hazard Definition Amendment]

Supervisors Amniano, Newsom, Daly

Ordinance amending Section 1601 of Article 26 of the San Francisco Health Code to change the title of the Article to emphasize the lead poisoning prevention aspect of the Article; amending the definitions for various lead hazards in Section 1603 of Article 26 of the San Francisco Health Code to conform with the newly promulgated lead levels from the United States Environmental Protection Agency ("USEPA") and the California Department of Health Services ("CDHS") for Dust-Lead Hazard; conforming the terms used in the Article to those used by USEPA and CDHS; amending the definitions for "Case-Managed Child," "Elevated Blood Lead Child" and "Lead-Poisoned Child" to conform with the new requirements from the California Department of Health Services regarding case-management of lead-poisoned children, and making conforming changes to Sections 1601, 1602, 1604, 1617, and 1626.

3/4/2003, PASSED ON FIRST READING. Supervisors Newsom and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

12. 030245 [Funding for the program management services for PUC capital projects]

Mayor

Ordinance appropriating \$5,600,000 of fund balance from the Water Department, \$560,000 of fund balance from Hetch Hetchy, and \$840,000 of fund balance from Clean Water for a total of \$7,000,000 for program management services for the Public Utilities Commission's capital projects for fiscal year 2002-03, placing \$5,188,465 on Finance and Audits Committee Reserve.
(Mayor)

(Fiscal impact; No Public Benefit Recipient.)

3/4/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

13. 030029 [Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]
Supervisors Ammiano, Maxwell, Duffy, Newsom
Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)
- 3/4/2003, AMENDED.
3/4/2003, PASSED ON FIRST READING AS AMENDED. Supervisors Duffy and Newsom requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
14. 030146 [Changing Official Width of Sidewalk]
Supervisor Hall
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
(Public Works Department)
(No Public Benefit Recipient.)
- 3/4/2003, PASSED ON FIRST READING. Supervisor Hall requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
15. 030097 [Designate the 1338 Filbert Street Cottages as a Landmark]
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell
Ordinance amending Appendix A of Planning Code Article 10 to designate the 1338 Filbert Street Cottages as Landmark No. 232.
- 3/4/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Gonzalez

16. 030095 [Recreation and Parks -- Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; and adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

17. 022049 [Contracting out Laundry Services at San Francisco General Hospital]

Resolution concurring retroactively, with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees.

(Public Health Department)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

18. 021997 [Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]

Supervisors Peskin, Dufty, Ma, Newsom

Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 030220 [International Museum of Women]
Supervisors Daly, Dufty, Maxwell, Peskin, McGoldrick
Resolution exempting the potential lease of Pier 26 to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

2/18/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisors Dufty and Maxwell requested to be added as co-sponsors.

2/18/2003, REFERRED to Finance and Audits Committee. Supervisor Hall requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

20. 030224 [Appropriation - Assessor-Recorder's Office]
Supervisor Dufty
Ordinance appropriating \$349,671 in surplus recording fees and re-appropriating \$194,128 in equipment, materials and supplies and professional services for a total of \$543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03.
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

21. 030237 [911 Digital Technology]
Supervisors Newsom, Dufty, Ma
Resolution urging the Office of the District Attorney, the San Francisco Police Department, the Department of Telecommunications and Information Systems, the Emergency Communications Department, and the Department on the Status of Women to collaborate in order to consider and make recommendations on the advantages of bringing 911 digital technology to the City and County of San Francisco as another viable medium of combating domestic violence.

2/18/2003, REFERRED to City Services Committee. Supervisor Gonzalez requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

22. 030247 [Accept-Expend Federal Grant]
Supervisors Dufty, Ma, Newsom
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice - Office of Community Oriented Policing for a project entitled "COPS-MORE 2002; Crime Analysis Hardware and Software".
(Police Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

23. 030026 [Liquor License Transfer, 560 Hayes Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 1419 Stockton Street to 560 Hayes Street (District 6), to Beau Timken for True Sake, LLC will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

24. 030084 [Liquor License Transfer, 1419 Fillmore Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 711 Market Street, to Pascal B. Thiam for Savanna Jazz, LLC located at 1419 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

25. 030133 [Loan application relating to the renovation of the San Francisco Marina]
Supervisor Newsom
Resolution certifying the need for the renovation of the San Francisco Marina Small Craft Harbor; requesting a loan from the California Department of Boating and Waterways to finance the renovation of the San Francisco Marina Small Craft Harbor; approving the form of the loan application documentation and authorizing the submission of such documentation to the California Department of Boating and Waterways; and ratifying and approving actions taken in connection with the submission of the loan application.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

26. 021772 [Conditional Use Revocation]
Supervisor Gonzalez
Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 030081 [Parking Regulations, Blanken Avenue]
Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 030099 [Extending annual condominium conversion limitation]**Supervisor McGoldrick**

Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.

2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 030157 [1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 030158 [1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 030155 [1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)
(2/18/03 in Board: Supervisor Gonzalez submitted a substitute ordinance bearing same title.)

2/18/2003, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 030156 [1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]
Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 021945 [Parking Regulations, Various Locations]
Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stillman Street, north side, between 147 Stillman and 4th Streets.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.
(Parking and Traffic Department)
(DPT Order No. 2508.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

34. 021996 [Voter Information Pamphlet Amendments]
Supervisor Gonzalez
Ordinance amending sections 500, 530 and 550 of the San Francisco Municipal Elections Code to require the Director of Elections to publish in the Voter Information Pamphlet: (1) a description of every elector's right to seek a writ of mandate or an injunction requiring any or all of the materials in the Voter Information Pamphlet to be amended or deleted, and (2) a disclaimer at the beginning of each ballot measure argument and rebuttal authorized by the Board of Supervisors explaining which members of the Board of Supervisors endorse, oppose or have taken no position on the measure; and to clarify that when the Board of Supervisors authorizes a member or members of that body to submit a ballot measure argument or rebuttal, it shall do so by motion, and it need not take any further action, including voting on or otherwise approving the actual text of the argument or rebuttal.

Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 030188 [Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency]
Mayor
Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006.
(Mayor)

Question: Shall this Resolution be ADOPTED?

36. 030190 [Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency]
Mayor
Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
37. 030191 [Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
38. 030137 [Scheduling Items on Committee Consent Agendas]
Supervisors Ammiano, Peskin
Motion amending Rule 5.40 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to provide additional guidelines for scheduling items on consent agendas in Board Committee meetings.

Question: Shall this Motion be ADOPTED?

From the Rules Committee "Without Recommendation"

Present: Supervisors Duffy, Gonzalez

39. 030189 [Confirming the appointment of Ben Hom to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006.
(Mayor)
- Supervisor Hall was excused from voting on this matter.*
- Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Land Use Committee

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, March 17, 2003 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

40. 030372 [Designate One of the Four 1338 Filbert Street Cottages as a Landmark]
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell
Ordinance amending Planning Code Article 10 to designate One of the Four Cottages located at 1338 Filbert Street, Lot 31 in Assessor's Block 524, as Landmark No. ____.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

42. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 60

43. 030359 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
44. 030360 [Honoring National Order of the Ancient Order of Hibernians]
Supervisors Hall, McGoldrick
Resolution honoring The National Order of the Ancient Order of Hibernians for launching the Hibernian Hunger Project.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 030361 [Armenian Genocide Commemoration Day]
Supervisors Peskin, Ammiano, Gonzalez, Maxwell, Dufty, Daly, Hall, McGoldrick, Ma, Sandoval
Resolution declaring April 24, 2003 Armenian Genocide Commemoration Day in San Francisco.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 030362 [Gift Acceptance - "Spaceship Earth" Sculpture]
Supervisors Peskin, Gonzalez, Daly
Resolution recommending the acceptance of a gift, "Spaceship Earth" as a sculptural monument to David R. Brower, first Executive Director of the Sierra Club.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 030363 [Commend SF Police Department]
Supervisor Newsom
Resolution commending the San Francisco Police Department for having been selected to receive a grant award from the U.S. Department of Justice to purchase state-of-the-art crime mapping technology through the federal "Community Oriented Policing Services-Making Officer Redeployment Effective program; and urging the San Francisco Police Department to continue to adopt innovative technology and management strategies; and to adopt an accountability system as the department begins to implement the technology component of CompStat.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

48. 030364 [Commend David R. Brower]
Supervisor Newsom
Resolution supporting the placement of a sculpture in the City of San Francisco to establish a suitable and permanent memorial in commemoration of the late David R. Brower.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 030365 [Funding Levels for Department of Aging and Adult Services]
Supervisor Newsom
Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 030366 [Urge Congress to Pass Filipino Veterans Equity Act]
Supervisors Sandoval, Ammiano, Daly, Gonzalez, McGoldrick, Ma, Dufty, Peskin, Maxwell, Hall
Resolution urging 108th U.S. Congress to pass HR 677: Filipino Veterans Equity Act of 2003.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 030367 [Recognize the 3rd Annual Cesar E. Chavez Holiday Parade]
Supervisor Sandoval
Resolution recognizing the 3rd Annual Cesar Chavez Holiday Parade and Festival on March 30, 2003.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 030368 [Commend South of Market Employment Center]
Supervisor Sandoval
Resolution commending the South of Market Employment Center/Mission Hiring Hall for organizing a successful Resource Job Fair for displaced airport security screeners from San Francisco International Airport.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 030369 [Support Establishment of New Mission Campus]
Supervisor Sandoval
Resolution urging the SFUSD School Board to support the establishment of the City College of San Francisco New Mission Campus to be located at 106 and 110 Bartlett Street.
- 3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

54. 030370 [Exploitation of Youth Task Force Final Report]**Supervisor Ammiano**

Resolution accepting the recommendations from the Task Force to End the Exploitation of Youth presented at a hearing scheduled February 27, 2003 in the City Services Committee.

3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 030321 [Final Map for a 22 Unit Residential Condominium Project]**Supervisor Ammiano**

Motion approving Final Map of 400 Alemany Boulevard, a Residential Condominium Project, being a subdivision of Lot 18, Assessor's Block No. 5843, and adopting findings pursuant to Planning Code Section 101.1.

(No Public Benefit Recipient; DPW Order No. 173,982; District 9.)

3/4/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

56. 030380 [Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving Final Map of 2111 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 14, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,999; District 10.)

3/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

57. 030381 [Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving Final Map of 2121 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 13, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,998; District 10.)

3/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

58. 030382 [Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving Final Map of 2131 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,997; District 10.)

3/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

59. 030383 [Final Map for a 6 Unit Live/Work Condominium Project]
Motion approving Final Map of 2141 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 11, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,996; District 10.)

3/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

60. 030384 [Final Map for an 8 Unit Residential Condominium Project]
Motion approving Final Map of 2315 Van Ness Avenue, a Residential Condominium Project, being a subdivision of Lot 36, Assessor's Block No. 551, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 173,995; District 2.)

3/7/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

61. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 25, 2003 through March 10, 2003, for reference by President to appropriate committee on March 18, 2003.

030322 [Settlement of Lawsuit - Maxuman Lamar Chenier]

Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for \$237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al.

(City Attorney)

(Public Benefit Recipient.)

2/25/2003, RECEIVED AND ASSIGNED to Rules Committee.

030323 [Settlement of Lawsuit - Stephen Sofos]

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al.

(City Attorney)

(Public Benefit Recipient.)

2/25/2003, RECEIVED AND ASSIGNED to Rules Committee.

030341 [Settlement of Lawsuit]

Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$85,000.

(City Attorney)

(Public Benefit Recipient.)

2/28/2003, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible.

030343 [Settlement of Lawsuit - SamTrans/Tanforan]

Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of \$2,544,500.

(City Attorney)

(No Public Benefit Recipient.)

3/3/2003, RECEIVED AND ASSIGNED to Rules Committee.

- 030392 [Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]
Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation.
(City Attorney)
(Public Benefit Recipient.)

3/10/2003, RECEIVED AND ASSIGNED to Rules Committee.
- 030393 [Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for \$250,000 as follows: \$87,500 in back overtime wages, \$87,500 in liquidated damages and \$75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

3/10/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 25, 2003 through March 10, 2003, for reference by President to appropriate committee on March 18, 2003.

- 030293 [Medi-Cal coverage for a pregnancy test and outpatient prenatal care]
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of \$25,000 from the March of Dimes to inform low-income women about Medi-Cal coverage for pregnancy testing and outpatient prenatal care and to enter into an agreement which includes an indemnification clause for the use of these funds; for the period of January 1, 2003 through December 31, 2003.
(Public Works Department)
(No Public Benefit Recipient.)

2/28/2003, RECEIVED AND ASSIGNED to City Services Committee.
- 030294 [Monitor quality of beach water and notify public of potential risks]
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$50,548 from the U. S. Environmental Protection Agency (USEPA) through the California Department of Health Services (CDHS) to screen beach water quality and notify the public of potential health risks and to enter into an agreement for the use of these funds; for the period of November 1, 2002 to September 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

2/28/2003, RECEIVED AND ASSIGNED to City Services Committee.

- 030342 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$26,759,043 from the Federal Aviation Administration, and any subsequent amendments offered by the Federal Aviation Administration: \$24,259,043 to be expended on standard Airport improvements (A.I.P 23, Project No. 3-06-0221-23); and \$2,500,000 for Airport security improvements (A.I.P 24, Project No. 3-06-0221-24).
(Airport Commission)
(Public Benefit Recipient.)

2/28/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be calendared as soon as possible.

- 030344 [Settlement of Claim - Kristina Wuslich]**
Resolution approving the settlement of the unlitigated claim filed by Kristina Wuslich against the City and County of San Francisco for \$250,000; claim was filed on June 14, 2002.
(City Attorney)
(Public Benefit Recipient.)

3/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

- 030386 [Accept-Expend State Grant - Police Department]**
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Department of Boating and Waterways to purchase a replacement patrol boat.
(Police Department)
(No Public Benefit Recipient.)

3/6/2003, RECEIVED AND ASSIGNED to City Services Committee.

- 030387 [Center for AIDS Prevention Studies]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$10,640 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide primary scientific oversight of activities for projects in Africa of the Center for AIDS Prevention Studies, for the period of September 1, 2002, to August 31, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

3/7/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 3, 2003 meeting.

- 030388 [AIDS-related training package]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of \$37,929 with The Regents of the University of California San Francisco (UCSF), the primary contractor to collaborate in developing, testing, evaluating, and refining an AIDS-related training package, for the period of July 1, 2002, to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

3/7/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 3, 2003 meeting.

030389 [Agreement to sell former Central Freeway parcel]

Resolution approving and authorizing an agreement for the sale at fair market value of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)
(Public Benefit Recipient.)

3/7/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030391 [Airport Concession Lease]

Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Public Benefit Recipient.)

3/7/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030394 [Accept-Expend Regional Grant - Department of the Environment]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$440,984 from the Bay Area Air Quality Management District for retrofitting six heavy-duty vehicles to Liquid Natural Gas.
(Environment)
(Public Benefit Recipient.)

3/11/2003, RECEIVED AND ASSIGNED to Land Use Committee. Department requests this item be scheduled for consideration as soon as possible.

030401 [Petitions and Communications, Part 1]

Petitions and Communications received from February 25 2003 through noon on March 10, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 18, 2003.

From Airport, regarding the Airport's spending on Capital Projects. (Reference No. 20030127-003) Copy: Supervisor Peskin (1)

From Airport, submitting request for release of reserved funds (\$3,767,000) for the Airfield Development Bureau to complete the planned environmental documents. (2)

From Office of the Controller, submitting review of contract expenditures by Sojourner Truth Foster Family Service Agency, Inc. for fiscal year 2001-02. (3)

From Office of the City Administrator, regarding proposed ordinance that identifies and establishes Board policy regarding surplus unutilized and underutilized City real property for housing the homeless. (4)

From various signators, submitting Form 700 Statement of Economic Interests: (5)

Ohn Myint
Gloria Young
Erasmus Vazquez
Harvey Rose
Jerry Threet
Adam Van De Water
Dawn Duran
Sarah He
Larry Roberts

From S.F. Public Transportation Department (Muni), submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-057) Copy: Supervisor McGoldrick (6)

From Cayuga Improvement Association, urging Recreation and Park Department to make the necessary improvements to Balboa Swimming Pool, and to continue to work with the residents in the surrounding neighborhoods to develop a master plan for future improvements to Balboa Park. (7)

From Reuben & Alter, LLP, regarding appeal of 40-50 Lansing Street. Scheduled for Public Hearing on March 25, 2003. (8)

From Building Inspection Commission, submitting notice of schedule hearing for appeal of Minor Sidewalk Encroachment permit for 315-319 Edgehill Way on March 5, 2003, 1:00 p.m., City Hall, Room 408. (9)

From State Senate Rules Committee, submitting reappointment of Alson Brizard of Patterson and Robert Schneider of Davis to the Water Quality Control Board, Central Valley Region. (10)

From State Senate Rules Committee, submitting reappointment of John Minan of San Diego to the Water Quality Control Board, San Diego Region. (11)

From San Francisco Bay Area Rapid Transit District (BART), submitting appointment of Ms. Lynette Sweet to San Francisco Bay Area Rapid Transit District, to fill the remainder of term for District 7. (12)

From Department of Telecommunications and Information Services, regarding efforts to address the Digital Divide in San Francisco. (Reference No. 20030113-004) Copy: Supervisor Daly (13)

From Office of the Public Defender, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-031) Copy: Supervisor McGoldrick (14)

From James Fabris, submitting support for appointment of Ben Hom to the Port Commission. Copy: Each Supervisor (15)

From Arts Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-046) Copy: Supervisor McGoldrick (16)

From County Clerk, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-076) Copy: Supervisor McGoldrick (17)

From Department of Parking and Traffic, concerning pedestrian and vehicular safety improvements at the southwest corner of Bay and Lyon Streets. (Reference No. 20030113-015) Copy: Supervisor Newsom (18)

From Office of the Legislative Analyst, submitting report regarding how other cities and counties determine space and time for local legislators to conduct retreats. Copy: Supervisor Maxwell (19)

From Office of the Controller, submitting copy of budget sent to the Mayor for fiscal year 2003/04. Copy: Budget Committee (20)

From Planning Department, submitting certificate of determination of exemption/exclusion from environmental review to indicate the location and boundaries of the Dogpatch Historic District. File 030203 (21)

From Health Commission, urging the Board to support resolution approving DPH's base budget for fiscal year 2003-04, and supporting the work of the task force to end the exploitation of youth. (22)

From concerned citizens, regarding landmark designation of the Filbert Street Cottages. Copy: Each Supervisor (23)

From concerned citizens, commenting on the current indictment of several police officers by the Grand Jury and the District Attorney's Office in San Francisco. (24)

From Department of Parking and Traffic, regarding traffic safety improvements in the neighborhood surrounding Buena Vista Elementary School. (Reference No. 20030218-003) Copy: Supervisor Ammiano (25)

From Department of Parking and Traffic, regarding the placement of storage bins used for construction materials on city streets. (Reference No. 20030113-058) Copy: Supervisor McGoldrick (26)

From Department of Parking and Traffic, regarding traffic studies for the Stonestown Area performed by the Department of Parking and Traffic in the last five years. (Reference No. 20030204-004)

Copy: Supervisor Hall (27)

From Department of Parking and Traffic, regarding the issuance of valet parking permits and fee assessments in San Francisco. (Reference No. 20030204-003) Copy: Supervisor Sandoval (28)

From Redevelopment Agency, submitting information on the not-for-profit service providers receiving funding from the San Francisco Redevelopment Agency. (Reference No. 20021216-077) Copy: Supervisor Hall (29)

From Department of Public Works, submitting information on the not-for-profit service providers receiving funding from the Department of Public Works. (Reference No. 20021216-074) Copy: Supervisor Hall (30)

From Department of Public Works, submitting notice that the appellants' signatures with respect to 1193 Oak Street represent owners of more than 20% of the area involved and is therefore sufficient for appeal. (31)

From Human Rights Commission, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-038) Copy: Supervisor McGoldrick (32)

From Marcy Fraser, submitting opposition to the appointment of Ben Hom to the Port Commission. Copy: Each Supervisor (33)

From Scott Pierce, submitting opposition to removal of the entire SFPD top brass. (34)

From concerned citizens, commenting on proposed legislation that bans cell phone use in certain locales. (35)

From Department of Public Works, submitting copy of letter sent to constituent regarding application for a Minor Sidewalk Encroachment Permit to place four container planters against the exterior of building at 4226 21st Street. (36)

From Bay Area Black United Fund, Inc., submitting request to participate in the 2003 City and County Annual Joint Fundraising Drive. (37)

From concerned citizens, submitting opposition to proposed closure of any part of Golden Gate Park to vehicles on Saturdays. (38)

From concerned citizens, regarding implementation of instant runoff voting that will begin in the November 2003 election. (39)

Number not used. (40)

From concerned citizens, commenting on the current situation in the Police Department and the District Attorney's Office. (41)

From Youth Commission, submitting support for implementation of a car seat bank program for pregnant and parenting teens, for Rec & Park to renovate the soccer field at Youngblood Coleman Recreation Center, and urging Governor Davis to sign AB4X. (42)

From Port, regarding emergency contracts for Drydock # 1. (43)

From UCSF, regarding proposed cuts at SF General Hospital for interpreter services. (44)

From Joanna Chestnut, urging interim funding for the Epiphany House at 1615 Broderick Street. Copy: Each Supervisor (45)

From Municipal Transportation Agency, submitting budget request for fiscal year 2004. Copy: Budget Committee (46)

From Office of the Mayor, submitting agenda for the State Legislative Committee meeting of March 5, 2003. (47)

From Gray Panthers, regarding appeal of the installation of 12 wireless antennas on St. Mary's Hospital. Copy: Each Supervisor (48)

From Office of the City Attorney, submitting legislation requiring the Assessor to inform the Board whenever the Assessment Appeals Board reduces the assessed valuation of a property by \$50 million or more. (Reference No. 20030121-006) Copy: Supervisor Hall (49)

From Frank Montarello, Jr., submitting request for a premise to premise transfer of a Type 48 liquor license from 515 Broadway to 2550 Van Ness Avenue, #2, for Frank Montarello, Jr. dba Stellar One, Inc. Copy: City Services Committee (50)

From Mayor's Office on Homelessness, submitting request to participate in the 2003 City and County Annual Joint Fundraising Drive. (51)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (52)

From San Francisco Tomorrow, submitting copy of letter sent to Assemblyman Mark Leno urging support for AB 812 that will allow for the construction of the new Transbay Terminal on the site of the existing terminal building. (53)

From Mayor's Office of Criminal Justice, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-087) Copy: Supervisor Hall (54)

From Department of Aging and Adult Services, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-054) Copy: Supervisor McGoldrick (55)

From Comcast Cable Company, regarding cable programming adjustment for the Expanded Basic tier service subscriber. (56)

From Office of the City Attorney, submitting legislation abolishing the Taxi Commission pursuant to Charter Section 8A.101(e) and transferring its powers and duties to the Municipal Transportation Agency. (57)

From Department of Public Health, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-067) Copy: Supervisor McGoldrick (58)

From Asian Art Museum, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-063) Copy: Supervisor McGoldrick (59)

From Office of the Mayor, submitting letter explaining his veto of proposed ordinance appropriating funding for the investigation and litigation against Tutor-Saliba Construction (File 030132). Copy:

Each Supervisor (60)

From Office of the Sheriff, regarding inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-041) Copy: Supervisor McGoldrick (61)

From Office of the City Attorney, submitting City Attorney Monthly Report for December 2002 and January 2003. (62)

From Office of the Controller, submitting revised addendum dated February 4, 2003 to add a sixth column on the Federal Meal & Incidental Expense Rate chart. (63)

From Office of the Controller, regarding the revenue and expenditures for the Downtown Park Fund for the last five years. (Reference No. 20021216-013) Copy: Supervisor Hall (64)

From Department of Children, Youth and Their Families, regarding inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-089) Copy: Supervisor McGoldrick (65)

From Office of the Controller, submitting report regarding the investigative and performance audit of the Public Administrator and Public Guardian/Public Conservator, divisions of the Department of Aging and Adult Services. Copy: Each Supervisor, Budget Analyst (66)

From Chinatown Transportation and Research Improvement Project, submitting copy of letter sent to Municipal Transportation Agency's Board of Directors regarding the proposed MUNI fare increase. (67)

From State Senate Rules Committee, submitting reappointment of Kristen Dowd Addicks of Stinson Beach and Josephine De Luca of Redwood City to the Water Quality Control Board, San Francisco Bay Region. (68)

From SF Environment, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-035) Copy: Supervisor McGoldrick (69)

From SF Environment, regarding efforts to secure funding under the Fleet Zip program of the California Air Resources Board. (Reference No. 20030121-012) Copy: Supervisor Daly (70)

From SF Environment, regarding status of the implementation of the California Integrated Waste Management Board grant awarded to the City to install recycled rubber tire products for outdoor walkways in the Golden Gate Park Concourse parking garage, one of the City's green building pilot projects. (Reference No. 20030127-005) (71)

From Reuben & Alter, LLP, requesting the Board calendar appeal for 40-50 Lansing Street as soon as possible. (72)

From Cornell, Lange & Peters, submitting copy of agenda for meeting of Board of Directors of San Francisco Airport Improvement Corporation to be held on March 18, 2003. (73)

From Building Inspection Commission, submitting notice of hearing for appeal of Minor Sidewalk Encroachment Permit at 315-319 Edgehill Way, at 1:00 p.m. in City Hall, Room 408. (74)

030403 [Petitions and Communications, Part 2]

Petitions and Communications received from February 25 2003 through noon on March 10, 2003 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 18, 2003. Part 2

From Earth Share of California, submitting request to participate in the 2003 City and County Annual Joint Fundraising Drive. (75)

From Office of the Assessor-Recorder, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-030) Copy: Supervisor McGoldrick (76)

From Office of the Legislative Analyst, submitting survey of other jurisdictions and their requirements imposed on hospitals that reduce their services. File 021227 (77)

From Board of Appeals, submitting notice that appeal for 1168 Folsom Street has been rescheduled to April 30, 2003, 5:00 p.m., City Hall, Room 416. (78)

From concerned citizens, urging the Board not to make any funding cuts to firefighters, firehouses and fire suppression in San Francisco. 175 letters to file and Supervisor Peskin (79)

From State Senate Rules Committee, submitting reappointment of Francine Diamond of Pacific Palisades to the Water Quality Control Board, Los Angeles Region. (80)

From Candlestick Point/Bayview Heights Residential Committee, submitting petition from property owners and residents of Candlestick Park requesting Utilities be installed underground on various streets in the area. Copy: Supervisor Maxwell (81)

From Office of the Controller, concerning measures to serve as the policy basis for the issuance of new medallions related supply and demand implications. (Reference No. 20021104-003) (82)

From Arc Ecology, submitting report entitled "Hunters Point Naval Shipyard Conveyance Agreement: A Summary from a Community Perspective." (83)

From SF Airlines Liaison Office, submitting letter to make the Board of Supervisors aware of the facts surrounding the selection process for a third party developer for the West Field Cargo Area Redevelopment Project and to urge the Board to be guided by the best interests of the City of San Francisco and Airport when these agreements come before the Board. (84)

From SF International Airport, submitting copy of letter sent to SF Airline Liaison Office regarding the West Field Cargo Area Redevelopment Project. (85)

From West of Twin Peaks Central Council, commenting on report that the Planning Department has prepared in connection with the Better Neighborhoods Project concerning the Balboa Park Bart Station area, including the portion of Ocean Avenue adjacent to City College, the Phelan Loop and the Krugen Auto Parts store. Copy: Each Supervisor (86)

From SF International Airport, regarding the ongoing management and performance audit of the Airfield Development Bureau. (87)

From SF Environment, regarding appropriating funds to not-for-profit service providers. (Reference No. 20021216-032) Copy: Supervisor Hall (88)

From Coalition for San Francisco Neighborhoods, regarding the San Francisco Marina Renovation. File 030133, Copy: Each Supervisor (89)

From the Urban School of San Francisco, regarding upgrading the city bus system to greener non-conventional buses. (90)

From Stephen Heersink, commenting on the alleged lack of customer service assistance at Comcast Cable Company. (91)

From SF Police Department, submitting the final summary report for the 2002 Combined Charities Campaign. (92)

From Department of Aging and Adult Services, submitting Resolution No. 2003-04 proclaiming the month of March 2003 as Social Work Month in San Francisco. Copy: Each Supervisor (93)

From State Department of Health Service, submitting approval of the Child Health & Disability Prevention Program Administrative Budget Revision 1 for fiscal year 2002/03. Copy: Budget Committee (94)

From James Corrigan, regarding possible adjustments in the Fire Department to prevent the closure of firehouses during this budget crisis. (95)

From John Jenkel, submitting several newsletters entitled "Abuse News" dated January 25, 2003 and March 4, 2003. (96)

From concerned citizens, requesting the Board of Supervisors hold new hearings on animal testing at UCSF and do everything in the Board's power to compel UCSF to end Stephen Lisberger's cruel and outdated experiments. Approximately 15 letters and postcards (97)

From Log Cabin High School, submitting invitation to the Board of Supervisors to visit the Log Cabin Ranch in La Honda. Copy: Each Supervisor (98)

From William Horton, submitting copy of letter sent to Assemblyman Mark Leno regarding opposition to the possibility of implementing city income taxes in California. (99)

From concerned citizens, submitting opposition to the sale of the SF Police Department helicopter. (100)

From Golden Gate Bridge, Highway and Transportation District, submitting newsletter dated March 2003. Copy: Each Supervisor (101)

From Jonathan Romano, submitting information regarding his medical records. (102)

From Human Rights Commission, submitting copy of the Human Rights Commission's Annual Report and the Human Rights Commission Executive Director's Quarterly Report. 103)

From Public Utilities Commission, submitting Annual Disclosure Report for fiscal year ended June 30, 2002. (104)

APPOINTMENTS BY THE MAYOR

Human Rights Commission

Khaldoun A. Baghdadi

Taxi Commission

John Barry

Environment Commission

Alan Mok

Nia Crowder

Johanna Wald

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

March 13, 2002

Rule 5.41 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Topic	File No.	Committee	Source	Legislation Introduced	30 Day Rule Expires
Amend Residential Rent Stabilization and Arbitration Ordinance (Admin Code 37) to conform to State Ellis Act	030325	Land Use Committee	Supervisor Peskin	2/25/03	3/27/03
Amend SF Admin Code 4.10 Fleet Management Program	030315	Land Use Committee	Supervisor Peskin	2/25/03	3/27/03
Amend Article 10A of SF Business and Tax Regulations by making clerical errors to omit text intended to be deleted by Ord. No. 71-021	030301	Finance and Audits Committee	Supervisor Peskin	2/25/03	3/27/03
Draft to amend Admin Code Chapter 12D. reauthorize MBE/WBE/LBE utilization ordinance	030347	Finance and Audits Committee	Supervisor Ma	3/4/03	4/3/03
Amend Section 720.40 Planning Code Hayes-Gough Neighborhood Commercial District	030350	Land Use Committee	Supervisor Gonzalez	3/4/03	4/3/03
Amend Section 312 Planning Code change in use from a retail coffee shop or pharmaceutical and personal toiletries use	030351	Land Use Committee	Supervisor Gonzalez	3/4/03	4/3/03
Amend Section 106.3.3 Building Code Curb Cuts and Street Tree Removal	030353	Land Use Committee	Supervisor Gonzalez	3/4/03	3/03

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689

2

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 25, 2003 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

MAR 20 2003

SAN FRANCISCO
PUBLIC LIBRARY

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

1. 030249 [Settlement of Lawsuit - Paul T. Hare]
Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for \$125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 030323 [Settlement of Lawsuit - Stephen Sofos]

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. 030257 [Appointment]

Resolution appointing Larry Costello, Bonnie Fisher, Carolyn Blair, Milton Marks III, Michael Sullivan, Juan Carrasco, and Diana Cohen terms ending April 5, 2005 to the Urban Forestry Council. Larry Costello, new appointment, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2005; Bonnie Fisher, new appointment, seat 2, must be a representative of the tree management profession, for a two-year term ending April 5, 2005; Carolyn Blair, new appointment, seat 3, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005; Milton Marks III, new appointment, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005; Michael Sullivan, new appointment, seat 6, must be a representative of the community, for a two-year term ending April 5, 2005; Juan Carrasco, new appointment, seat 7, must be a representative of the community, for a two-year term ending April 5, 2005; Diana Cohen, new appointment, seat 8, must be a representative of the community, for a two-year term ending April 5, 2005.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance appropriating funding for the investigation and litigation of Tutor-Saliba Construction (File 030132).

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or opposition to the veto override.

4. 030132 [Funding for the investigation and litigation against Tutor-Saliba Construction]
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell
Ordinance appropriating, retroactive to July 1, 2002, \$2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.
(Fiscal impact.)

2/18/2003, PASSED ON FIRST READING. Supervisors Ammiano, Gonzalez, McGoldrick and Maxwell requested to be added as co-sponsors.

2/25/2003, FINALLY PASSED.

Action: _____

From the Clerk

(Only one of the following two motions should be adopted.)

5. 030254 [Appeal, Conditional Use - 1193 Oak Street]
Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

3/4/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Motion be ADOPTED?

6. 030255 [Appeal, Conditional Use - 1193 Oak Street]
Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

3/4/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Motion be ADOPTED?

7. 030256 [Findings - 1193 Oak Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located 1193 Oak Street, for action by the Board at its next meeting.
(Clerk of the Board)

3/4/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Motion be ADOPTED?

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Gonzalez

8. 030095 [Recreation and Parks -- Fees]
Mayor
Ordinance making environmental findings and amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; and adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship.
(Mayor)

3/18/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

9. 021997 [Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]
Supervisors Peskin, Dufty, Ma, Newsom, Gonzalez, Maxwell
Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.
(Fiscal impact.)
- 3/18/2003, PASSED ON FIRST READING. Supervisors Gonzalez and Maxwell requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?
10. 030224 [Appropriation - Assessor-Recorder's Office]
Supervisors Dufty, Gonzalez
Ordinance appropriating \$349,671 in surplus recording fees and re-appropriating \$194,128 in equipment, materials and supplies and professional services for a total of \$543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03, placing \$40,790 on reserve by the Finance and Audit Committee.
(Fiscal impact; No Public Benefit Recipient.)
- 3/18/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Gonzalez requested to be added as a co-sponsor.
3/18/2003, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

11. 021772 [Conditional Use Revocation]
Supervisors Gonzalez, Dufty, Hall, Peskin, Ma, McGoldrick
Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.
- 3/18/2003, PASSED ON FIRST READING. Supervisors Dufty, Hall, Peskin, Ma and McGoldrick requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

12. 030081 [Parking Regulations, Blanken Avenue]
Supervisor Gonzalez
Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue.
(Parking and Traffic Department)
- 3/18/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
13. 030097 [Designate the 1338 Filbert Street Cottages as a Landmark]
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell
Ordinance amending Planning Code Article 10 to designate the 1338 Filbert Street Cottages, Lots 31, 32, 33 and 34 in Assessor's Block 524, as Landmark No. 232.
- 3/4/2003, PASSED ON FIRST READING.
3/18/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
3/18/2003, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
14. 030099 [Extending annual condominium conversion limitation]
Supervisors McGoldrick, Hall
Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.
2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.
- 3/18/2003, PASSED ON FIRST READING. Supervisor Hall requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
15. 030155 [1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]
Supervisor Gonzalez
Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)
(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)
(2/18/03 in Board: Supervisor Gonzalez submitted a substitute ordinance bearing same title.)
- 2/18/2003, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.
3/18/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

16. 030156 [1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]
Supervisor Gonzalez
Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)
- 3/18/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
17. 030157 [1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]
Supervisor Gonzalez
Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)
- 3/18/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
18. 030158 [1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]
Supervisor Gonzalez
Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)
- 3/18/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

19. 021996 [Voter Information Pamphlet Amendments]

Supervisor Gonzalez

Ordinance amending sections 500, 530 and 550 of the San Francisco Municipal Elections Code to require the Director of Elections to publish in the Voter Information Pamphlet: (1) a description of every elector's right to seek a writ of mandate or an injunction requiring any or all of the materials in the Voter Information Pamphlet to be amended or deleted, and (2) a disclaimer at the beginning of each ballot measure argument and rebuttal authorized by the Board of Supervisors explaining which members of the Board of Supervisors endorse, oppose or have taken no position on the measure; and to clarify that when the Board of Supervisors authorizes a member or members of that body to submit a ballot measure argument or rebuttal, it shall do so by motion, and it need not take any further action, including voting on or otherwise approving the actual text of the argument or rebuttal.

3/18/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 030188 [Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency] Mayor

Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006.
(Mayor)

3/18/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Resolution be ADOPTED?

21. 030190 [Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency] Mayor

Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006.
(Mayor)

3/18/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Resolution be ADOPTED?

22. 030191 [Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission] Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006.
(Mayor)

3/18/2003, CONTINUED. Continued to March 25, 2003

Question: Shall this Resolution be ADOPTED?

From the Rules Committee "Without Recommendation"

Present: Supervisors Duffy, Gonzalez

23. 030189 [Confirming the appointment of Ben Hom to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006.
(Mayor)
(Supervisor Hall excused from voting.)
- 3/18/2003, CONTINUED. Continued to March 25, 2003
3/18/2003, CONTINUED.
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

24. 030301 [Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]
Supervisor Peskin
Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 030251 [Settlement Prior to Binding Arbitration]
Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002.
(City Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 030267 [Funding for emergency removal and repair of Drydock #1]
Supervisor Peskin
Ordinance re-appropriating \$1,762,549 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 021876 **[Real Property Lease Option]**
Resolution retroactively authorizing the exercise of an extension option at 875 Stevenson Street for various City departments.
(Real Estate Department)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

28. 030243 **[Ratify Port Emergency Repair Contract]**
Resolution ratifying San Francisco Port Commission emergency contract for recovery and repair of marine vessel known as Drydock #1.
(Port)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

29. 030300 **[Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]**
Mayor
Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

30. 030395 **[Mortgage Credit Certificates]**
Supervisors Peskin, Sandoval
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Ammiano

31. 021885 **[Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]**
Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information.
(Parking and Traffic Department)
(No Public Benefit Recipient.)
(Supervisor McGoldrick excused from voting in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Maxwell, Ammiano

32. 021912 [Tour buses prohibited on portions of El Camino del Mar and 25th Avenue]
Supervisor Newsom
Ordinance amending Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and 25th Avenue, and on 25th Avenue between Lake Street and El Camino del Mar.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 030207 [2161 Sutter Street - Zoning Map Change]
Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)
(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 030082 [Accept - Expend TFCA Regional Funds]
Resolution authorizing the Municipal Transportation Agency to Accept and Expend \$1,123,364 of Transportation Fund for Clean Air Regional Funds for the three Capital Improvement Projects: the Transit Bus Traffic Signal Prioritization; Transit Bus Replacement: 15 CNG or Hybrid Electric Vehicles; and Bicycle Racks - Installation of Bicycle Racks on 50 Vehicles.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

35. 021884 [Public Access Cable Television]
Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002.
(Telecommunications and Information Services)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

36. 030075 [Requiring regular meetings of subordinate bodies created by the Board of Supervisors]
Supervisors Hall, Gonzalez

Motion amending the Board of Supervisors Rules of Order by adding Rule 2.27, to require the Board to include language providing for regular meetings when considering legislation creating subordinate bodies.

Question: Shall this Motion be ADOPTED?

37. 030041 [Dissolving the Hazardous Materials Advisory Committee]
Supervisor Hall

Ordinance amending the San Francisco Health Code by repealing Sections 1103 through 1103.2, and amending Section 1103.3, to dissolve the Hazardous Materials Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 030042 [Dissolving the Skating Advisory Committee]
Supervisor Hall

Ordinance amending the San Francisco Administrative Code by repealing Sections 5.210 through 5.212, to dissolve the Skating Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 030043 [Dissolving the Clean Air Advisory Committee]
Supervisor Hall

Ordinance amending the San Francisco Administrative Code by repealing Section 85.4 and by amending Section 85.10, to dissolve the Clean Air Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 030044 [Dissolving the Video Display Terminal Advisory Committee]
Supervisor Hall

Ordinance amending the San Francisco Health Code by repealing Sections 1303 and 1306, to dissolve the Video Display Terminal Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 030049 [Dissolving the Long Term Care Pilot Project Task Force]
Supervisor Hall

Resolution repealing Resolutions No. 1024-96 and 187-97, to dissolve the "Long Term Care Pilot Project Task Force."

Question: Shall this Resolution be ADOPTED?

42. 030050 [Dissolving the Abandoned Shopping Cart Task Force]
Supervisor Hall

Resolution repealing Resolutions Nos. 357-98 and 847-98, to dissolve the "Abandoned Shopping Cart Task Force."

Question: Shall this Resolution be ADOPTED?

43. 030051 [Dissolving the Sutro Tower Health and Safety Task Force]
Supervisor Hall
Resolution repealing Resolution No. 1068-99, to dissolve the "Sutro Tower Health and Safety Task Force."
- Question: Shall this Resolution be ADOPTED?
44. 030052 [Dissolving the Pedestrian Safety and Street Resurfacing Working Group]
Supervisor Hall
Resolution repealing Resolution No. 564-01, to dissolve the "Pedestrian Safety and Street Resurfacing Working Group."
- Question: Shall this Resolution be ADOPTED?
45. 030053 [Dissolving the Mid-Income Housing Solutions Task Force]
Supervisor Hall
Resolution repealing Resolution No. 721-01, to dissolve the "Mid-Income Housing Solutions Task Force."
- Question: Shall this Resolution be ADOPTED?
46. 030054 [Dissolving the Joint Board of Education/Board of Supervisors Digital Divide Task Force]
Supervisor Hall
Resolution repealing Resolution No. 271-00, to dissolve the "Joint Board of Education/Board of Supervisors Digital Divide Task Force."
- Question: Shall this Resolution be ADOPTED?
47. 030056 [Dissolving the Airport Noise Committee]
Supervisor Hall
Resolution repealing Resolutions No. 580-87 and 62-89, to dissolve the "Airport Noise Committee."
- Question: Shall this Resolution be ADOPTED?
48. 030057 [Dissolving the Citizens' Advisory Task Force for the Central Freeway]
Supervisor Hall
Resolution repealing Resolutions Nos. 541-92, 1019-94 and 640-95, to dissolve the "Citizens' Advisory Task Force for the Central Freeway."
- Question: Shall this Resolution be ADOPTED?
49. 030150 [Dissolve Sustainable Funding for School Arts and Music Task Force]
Supervisor Hall
Resolution repealing Resolution Nos. 1127-99 and 175-00, to dissolve the "Sustainable Funding for School Arts and Music Task Force."
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

50. 030376 [Public Hearing - Appeal, Negative Declaration for 40-50 Lansing Street]
Hearing of persons interested in or objecting to the Planning Commission certification of Final Mitigated Negative Declaration, File No. 2002.0446E, for a proposed 81 unit Residential Building located at 40-50 Lansing Street (aka 35 Guy Street), Block 3749, Lot 11, in San Francisco.
(Clerk of the Board)
(Appeal filed February 21, 2003; Publication of Preliminary Mitigated Negative Declaration: October 19, 2002; Amended Mitigated Negative Declaration: December 30, 2002; Final Mitigated Negative Declaration adopted and issued on February 20, 2003; Planning Commission Motion No. 16530 affirming the decision to issue a Mitigated Negative Declaration dated February 20, 2003; companion measure to Files 030373, 030374, 030375; General Public Hearing Notice mailed March 12, 2003; District 6.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**(Only one of the following two motions should be adopted.)**

51. 030373 [Affirm adoption of the negative declaration for 40-50 Lansing Street]
Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

52. 030374 [Reversing adoption of the negative declaration for 40-50 Lansing Street]
Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

53. 030375 [Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, March 24, 2003 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

From Land Use Committee

54. 030394 [Accept-Expend Regional Grant - Department of the Environment]
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$440,984 from the Bay Area Air Quality Management District for retrofitting six heavy-duty vehicles to Liquid Natural Gas.
(Environment)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

55. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

56. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

57. 030408 [Closed Session - Existing Litigation - City as Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs are also seeking reimbursement of tax payments made to the City.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

1. Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco.

S. F. Superior Court No. 313-930 (filed July 27, 2000)

2. All Star Consulting, Inc.; Brown & Toland Physician Services Organization; Clark Construction Group, Inc.; Goodby, Silverstein & Partners, Inc.; Hunt Construction Group, Inc.; I Gate Capital/Chen & McGinley; Jessica McClintock, Inc.; Lehman Brothers, Inc.; Macromedia, Inc.; Preferred Trade, Inc.; S&C Motors, Inc.; and Walker Interactive Systems, Inc. v. City and County of San Francisco.

S. F. Superior Court No. 403-250 (filed January 9, 2002)

3. CNET Networks, Inc. v. City and County of San Francisco.

S. F. Superior Court No. 409-891 (filed July 5, 2002)

4. Freeman Decorating, Co. (an Iowa Corp.) and TFC Management, Inc. (a Texas Corp.) v. City and County of San Francisco.

S. F. Superior Court No. 320-869 (filed April 27, 2001)

5. Heller Ehrman White & McAuliffe LLP and Heller Ehrman White & McAuliffe, Inc. v. City and County of San Francisco.

S. F. Superior Court No. 321-383 (filed May 16, 2001)

6. Matson Intermodal Systems, Inc.; Matson Navigation Company, Inc.; Matson Logistics Solutions, Inc.; Plant Construction Company; Plant Construction Company, LP; Rite Aid Corp.; Thrifty Payless, Inc.; and NRT, Inc. v. City and County of San Francisco.

S. F. Superior Court No. 406-452 (filed April 8, 2002)

7. GMAC Commercial Mortgage Corp. v. City and County of San Francisco.

S. F. Superior Court No. 405064 (filed February 28, 2002)

(City Attorney)

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

58. 030469 [Closed Session - Existing Litigation - City as Plaintiff]

Supervisor Duffy

Motion that the Board of Supervisors convene in closed session with the City Attorney and the Mayor for the purpose of conferring with, or receiving advice from, the City Attorney regarding the legal ramifications of mechanisms for funding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U.S. District Court No. C 02 5286 filed 11/1/02

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation listed above.
(Supervisor Duffy)

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 59 through 73

- 59. 030421 [Special Joint Meeting - Board of Supervisors and State Assemblyman Mark Leno]**
Supervisor Maxwell
Motion setting a joint meeting of the Board of Supervisors and State Assemblyman Mark Leno to be held in the Legislative Chamber at City Hall on May 9, 2003, from 1:00 P.M. to 3:00 P.M.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- 60. 030417 [Hunters Point Shipyard Development Authority]**
Supervisors Maxwell, Dufty, Newsom
Resolution urging the California Legislature to enact the Hunters Point Shipyard Development Authority Act of 2003.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 61. 030434 [Commend Senior Survival School's 10th Anniversary]**
Supervisor Ma
Resolution commending Senior Survival School on the occasion of its 10th Anniversary.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 62. 030435 [Extend Planning Commission Review Period]**
Supervisor Maxwell
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1 (bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street) from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th Street and Rhode Island Grocery Store Special Use Subdistrict and a companion ordinance to amend the Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

63. 030436 [Proclaim March 2003 Social Worker Month in SF]
Supervisors Maxwell, Dufty
Resolution commending the recognition of National Professional Social Worker Month and proclaiming March 2003 as Social Worker Month in San Francisco.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 030437 [Endorsing H.R. 40, African-American Reparations Act]
Supervisors Maxwell, Dufty, Ammiano, Gonzalez, Sandoval, Peskin, Ma
Resolution endorsing House of Representative Resolution 40 (H.R.), Congressman John Conyer's African-American Reparations Act.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
65. 030438 [Assembly Bill 196]
Supervisor Dufty
Resolution urging passage of AB 196.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
66. 030439 [Extend Juvenile Justice Advisory Committee]
Supervisor Gonzalez
Resolution extending the Juvenile Justice Advisory Committee's term of operation for an additional three months.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 030440 [Proposition N Implementation Plans]
Supervisor McGoldrick
Motion directing the Office of Budget Analyst of the Board of Supervisors to analyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N, enacted by the voters in November 2002, by July 1, 2003.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
68. 030441 [Commend Laborers' International Union of North America]
Supervisors Sandoval, McGoldrick
Resolution commending the Laborers' International Union of North America (LIUNA) for celebrating 100 years of bringing social justice to the American worker.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

69. 030442 [Commend PUC and OMI/Excelsior Beacon Center]
Supervisor Sandoval
Resolution commending the Public Utilities Commission and the OMI/Excelsior Beacon Center for helping San Francisco residents reduce their water bills by selling high quality, 1.6 Gallons Per Flush Toilets for only \$10 on Saturday, April 5 from 8:00 a.m. to 1 p.m. at the Crocker-Amazon Park, Moscow and Geneva.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
70. 030443 [Senate Bill 333 - Elder Justice Act]
Supervisor Sandoval
Resolution urging the 108th Congress to pass SB 333: Elder Justice Act to provide coordination of differing federal, state, and local elder abuse programs to better protect and serve our seniors.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
71. 030444 [Urge FCC Commissioners to attend a public hearing in SF in April 2003]
Supervisor Sandoval
Resolution urging the Commissioners of the Federal Communication Commission and Congress members from the Bay Area to attend a public hearing in San Francisco this spring to gather public input on the upcoming changes in rules regarding media ownership by large corporations.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
72. 030406 [Final Map for a 9 Unit Mixed Use Condominium Project]
Motion approving Final Map of 363 Valencia Street, a Mixed Use Condominium Project, being a subdivision of Lot 11 Assessor's Block No. 3547, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,013; District 9.)
- 3/14/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
73. 030414 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 3/18/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

74. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 11, 2003 through March 17, 2003, for reference by President to appropriate committee on March 25, 2003.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 11, 2003 through March 17, 2003, for reference by President to appropriate committee on March 25, 2003.

030396 [Accept/Expend Federal Funding - McKinney 2002 Continuum of Care Homeless Assistance Programs]

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of \$1,916,317 from the U.S. Department of Housing and Urban Development for the McKinney Continuum of Care Homeless Assistance Programs.
(Human Services Department)

3/11/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030397 [Accept-Expend State Grant - Supportive Housing Initiative Act]

Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of \$708,761 from the California Department Of Mental Health Supportive Housing Initiative Act for supportive housing targeting adults with disabilities.
(Human Services Department)
(No Public Benefit Recipient.)

3/11/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030398 [Lease of Real Property]

Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco.
(Real Estate Department)
(Public Benefit Recipient; District 10.)

3/11/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030400 [Approval of Lease Amendment for Waterfront Restaurant]

Resolution approving Fourth Lease Amendment to Port Lease No. L-11859 between the Port Commission and Bundox Restaurant, Inc., a California corporation ("Tenant") for the lease of real property commonly known as the Waterfront Restaurant.
(Port)
(Public Benefit Recipient.)

3/12/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030404 [Modification to the Professional Service Agreement for North & South International Parking Garages, Concourse H/Airport BART Station and Rental Car Facility]

Resolution approving Modification No. 3, the Close-out Modification, of Professional Services Agreement for Contract No. 5600AE - North & South Int'l Parking Garages, Concourse H/Airport BART Station and Rental Car Facility with ED2 Int'l/MBT Architecture Joint Venture Architects in the amount of \$1,236,926, for a new total contract amount of \$23,469,626.
(Airport Commission)
(No Public Benefit Recipient.)

3/14/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030405 [Accept-Expend Grant for Sunol Valley Fluoridation Facility]

Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of \$250,000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility.
(Public Utilities Commission)
(No Public Benefit Recipient.)

3/12/2003, RECEIVED AND ASSIGNED to City Services Committee.

- 030407 **[Expand behavioral health services system of care for children and youth in San Francisco]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003.
(Public Health Department)
(Public Benefit Recipient.)

3/17/2003, RECEIVED AND ASSIGNED to City Services Committee.

- 030409 **[Grants Federal Funds - Municipal Railway]**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project.
(Municipal Transportation Agency)
(No Public Benefit Recipient.)

3/17/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030473 [Petitions and Communications]

Petitions and Communications received from March 11, 2003 through March 17, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 25, 2003.

From Office of the Controller, submitting annual report for the Parking Authority and San Francisco Finance Corporation for fiscal year ended June 30, 2002. (1)

From various signators, submitting Form 700 Statement of Economic Interests: (2)
Tina Tom
Adele Destro

From Stephen Weatherley, suggesting Hovercraft service between San Francisco and Oakland Airports as an alternative way of transportation. (3)

From L. Myers Company, submitting support for proposed ordinance amending the Zoning Map to indicate the Dogpatch Historic District, the location and boundaries of which are generally between Indiana and Third Streets, odd and even addresses, from 18th to Tubbs Street. File 030203 (4)

From Office of the Mayor, submitting appointments to ABAG's Executive Board. (5)

From Department of Human Services, concerning updated report regarding support of social workers in schools in California and across the country. (Reference No. 20030225-011) Copy: Supervisor Ammiano (6)

From American Civil Liberties Union Foundation (ACLU), submitting report on the breakdown in accountability mechanisms within the Police Department and proposals for reforms. Copy: Each Supervisor (7)

From District 11 Council, submitting opposition to any attempt to close Balboa Swimming Pool. (8)

From Mae C. Woo, submitting invitation to her re-appointment by Governor Davis to GO SERV, the Governor's Office on Service and Volunteerism, at the Chinese American Citizens Alliance, located at 1044 Stockton Street, on April 18 at 6:00 p.m. (9)

From Department of Public Health, regarding status of its Air Medical Access Needs Assessment and Feasibility Study. (Reference No. 20030211-011) Copy: Supervisor Newsom (10)

From concerned citizens, submitting opposition to the nomination of Ben Hom to the Port Commission. File 030189 (11)

From SF Unified School District, submitting resolution urging the Police Commission to initiate an investigation into police action at Thurgood Marshall Academic High School. Copy: Each Supervisor (12)

From concerned citizens, regarding the San Francisco Marina Renovation. File 030133, Copy: Each Supervisor (13)

From District 11 Council, submitting appointment of Martin Kutchen to the Urban Forestry Council. Copy: Rules Committee (14)

From Department of the Environment, submitting list of Sole Source Contracts for fiscal year 2001/02. (15)

From Stephen Moses, submitting opposition to the appointment of Alex Fagan as Acting Chief of the Police Department while his son is under investigation. (16)

From concerned citizens, commenting on the proposed increase in parking fines in San Francisco. (17)

From Teresa Cooper, regarding City Plan 1, one of the health plan choices for City and County of San Francisco employees. Copy: Budget Committee (18)

From City Hub Neighborhood Alliance, concerning Planning Commission hearing regarding Market and Octavia Streets Neighborhood Draft Plan on March 20, 2003, at City Hall, Room 400. Copy: Supervisor Dufty (19)

From Planning Commission, regarding landmark designation of the Laguna Honda Muni Station and Municipal Railway Car No. 1. Files 030142 and 020262 (20)

From Juvenile Probation Department, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-033) Copy: Supervisor McGoldrick (21)

From Regional Alliance for Transit, submitting support for the redevelopment of the Transbay Terminal as Northern California's premier transportation hub. Copy: Each Supervisor (22)

From Planning Department, submitting notice of availability of Environmental Review Document for the California Academy of Sciences at the Planning Department at 1660 Mission Street, Suite 500. (23)

From concerned citizens, urging the Board of Supervisors to override the Mayor's veto regarding the Tutor-Saliba airport construction lawsuit. File 030132 (24)

From Delores McGray, submitting support for the Mayor's veto of the Tutor-Saliba airport construction lawsuit. File 030132 (25)

From concerned citizens, urging the Board to ensure the implementation of Proposition A, Instant Runoff voting passed by the voters on March 5, 2002. Copy: Elections (26)

From Charlie Richards, regarding overtime pay for MUNI bus drivers. Copy: Each Supervisor (27)

From Office of the Controller, Audits Division, concerning the audit of the department head transition at the Office of the Public Defender. (28)

From Department of Aging and Adult Services, submitting Resolution # 2003-03, urging the Board of Supervisors and Mayor Brown to support the Elder Justice Coalition. Copy: Each Supervisor (29)

From Employees' Retirement System, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-061) Copy: Supervisor McGoldrick (30)

From Department of Public Works, submitting copy of letter sent to constituent denying his application for the installation of a dry standpipe on Campton Place. (31)

From Nancy Cavanaugh, submitting request that the Board of Supervisors and or Mayor proclaim May 1, 2003 as Avner Lapovsky Day in San Francisco. Copy: Each Supervisor, Mayor (32)

From US Army Corps of Engineers, submitting public notice of a new policy regarding the use of mitigation banks for projects occurring on the Santa Rosa Plain in Sonoma County. (33)

From concerned citizens, submitting opposition to any cuts in funding for seniors and persons with disabilities living in San Francisco. (34)

From Department on the Status of Women, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-062) Copy: Supervisor McGoldrick (35)

From San Francisco Tomorrow, submitting copy of letter sent to Congresswoman Pelosi urging her to make sure that Transbay Terminal rebuilding is given the very highest priority in the Transportation Equity Act (TEA 3). (36)

From Bruce Ross Bernor, commenting on current bidding practices for the City's towing contract. (37)

From BREATH (The California smoke-free bars, workplaces and communities program), submitting BREATH'S latest informational packet on Outdoor Tobacco Smoke Policies and Ordinances. (38)

MAYOR'S APPOINTMENTS

Commission on the Status of Women
Carolene Marks

Juvenile Probation Commission
Sean Connolly

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ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 1, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 p.m.

Wednesday

9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

1. 030293 [Medi-Cal coverage for a pregnancy test and outpatient prenatal care]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a new grant in the amount of \$25,000 from the March of Dimes to inform low-income women about Medi-Cal coverage for pregnancy testing and outpatient prenatal care and to enter into an agreement which includes an indemnification clause for the use of these funds; for the period of January 1, 2003 through December 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 030294 [Monitor quality of beach water and notify public of potential risks]**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept retroactively and expend a grant in the amount of \$50,548 from the U. S. Environmental Protection Agency (USEPA) through the California Department of Health Services (CDHS) to screen beach water quality and notify the public of potential health risks and to enter into an agreement for the use of these funds; for the period of November 1, 2002 to September 30, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030386 [Accept-Expend State Grant - Police Department]**Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Department of Boating and Waterways to purchase a replacement patrol boat.

(Police Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

4. 030249 [Settlement of Lawsuit - Paul T. Hare]

Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for \$125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco.

(City Attorney)

(Public Benefit Recipient.)

3/25/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 030323 [Settlement of Lawsuit - Stephen Sofos]

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al.

(City Attorney)

(Public Benefit Recipient.)

3/25/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Duffy, Gonzalez

6. 030298 [Appointment]
Resolution appointing Gwendolyn Henry, Chris Cleary and Maria Luz Torre, terms ending December 31, 2004; Jean van Keulen and Natalie Brutto terms ending December 31, 2006; Marie Lee, Lisa Jaeks and Sheila Norman terms ending December 31, 2005 to the Child Care Planning and Advisory Council.

Question: Shall this Resolution be ADOPTED?

7. 030173 [Appointment]
Resolution appointing Christopher Michel, term ending January 31, 2006, to the Veterans Affairs Commission.
Christopher Michel, succeeding Dietrich Falkenthal, resigned, seat 10, must be an at-large appointment for the unexpired portion of a 4-year term ending January 31, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

8. 030254 [Appeal, Conditional Use - 1193 Oak Street]
Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

3/4/2003, CONTINUED. Continued to March 25, 2003

3/25/2003, CONTINUED. Continued to April 1, 2003

Question: Shall this Motion be ADOPTED?

9. **030255** **[Appeal, Conditional Use - 1193 Oak Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 3/4/2003, CONTINUED. Continued to March 25, 2003
3/25/2003, CONTINUED. Continued to April 1, 2003
Question: Shall this Motion be ADOPTED?
10. **030256** **[Findings - 1193 Oak Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located 1193 Oak Street, for action by the Board at its next meeting.
(Clerk of the Board)
- 3/4/2003, CONTINUED. Continued to March 25, 2003
3/25/2003, CONTINUED. Continued to April 1, 2003
Question: Shall this Motion be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

11. **030251** **[Settlement Prior to Binding Arbitration]**
Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002.
(City Attorney)
(No Public Benefit Recipient.)
- 3/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. **030267** **[Funding for emergency removal and repair of Drydock #1]**
Supervisor Peskin
Ordinance re-appropriating \$1,762,549 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.
(Fiscal impact.)
- 3/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

13. 030301 [Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]**Supervisor Peskin**

Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.

3/25/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Amuniano

14. 021885 [Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]

Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information.

(Parking and Traffic Department)

(No Public Benefit Recipient.)

3/25/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Present: Supervisors McGoldrick, Maxwell, Amuniano

15. 021912 [Tour buses prohibited on portions of El Camino del Mar and 25th Avenue]**Supervisor Newsom**

Ordinance amending Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and 25th Avenue, and on 25th Avenue between Lake Street and El Camino del Mar.

3/25/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of Rules Committee

Present: Supervisors Hall, Gonzalez

16. 030041 [Dissolving the Hazardous Materials Advisory Committee]**Supervisor Hall**

Ordinance amending the San Francisco Health Code by repealing Sections 1103 through 1103.2, and amending Section 1103.3, to dissolve the Hazardous Materials Advisory Committee.

3/25/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

17. 030042 [Dissolving the Skating Advisory Committee]
Supervisor Hall
Ordinance amending the San Francisco Administrative Code by repealing Sections 5.210 through 5.212, to dissolve the Skating Advisory Committee.
- 3/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
18. 030043 [Dissolving the Clean Air Advisory Committee]
Supervisor Hall
Ordinance amending the San Francisco Administrative Code by repealing Section 85.4 and by amending Section 85.10, to dissolve the Clean Air Advisory Committee.
- 3/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
19. 030044 [Dissolving the Video Display Terminal Advisory Committee]
Supervisor Hall
Ordinance amending the San Francisco Health Code by repealing Sections 1303 and 1306, to dissolve the Video Display Terminal Advisory Committee.
- 3/25/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

20. 030315 [Fleet Management Program]
Ordinance amending the San Francisco Administrative Code by repealing existing Section 4.10-1 and adding a new Section 4.10-1, to place all City general purpose vehicles under the jurisdiction of the Director of Administrative Services as part of a comprehensive fleet management program.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, McGoldrick

21. 030348 [2003 Mortgage Revenue Draw Down Bonds]

Mayor, Supervisor Peskin

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds, Draw Down Series 2003-1, in an aggregate principal amount not to exceed \$49,000,000; authorizing the execution and delivery of a Trust Indenture, and a Bond Purchase Contract; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith.

(Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

22. 030349 [2003 Mortgage Revenue Single Family Housing Bonds]

Mayor, Supervisor Peskin

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae Mortgage-Backed Securities Program) Series 2003-A in an aggregate principal amount not to exceed \$17,635,000; authorizing the execution and delivery of a Trust Indenture, an Origination, Servicing and Administration Agreement, a 2003 Home Mortgage Assistance Trust Agreement, a Bond Purchase Contract, and an Official Statement; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith.

(Mayor)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

23. 021297 [CEQA Findings]

Supervisors Daly, Maxwell

Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.

8/8/2002, CALLED FROM COMMITTEE.

8/19/2002, CONTINUED. Supervisor Daly requested that this item be continued to November 18, 2002.

11/18/2002, RE-REFERRED to Transportation and Commerce Committee.

Question: Shall this Resolution be ADOPTED?

24. 012042 [Zoning Map Amendment - King and Townsend Streets]**Supervisors Daly, Maxwell**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 8H, to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X; and making findings of consistency with the General Plan and Planning Code Section 101.1.

8/8/2002, CALLED FROM COMMITTEE.

8/19/2002, CONTINUED. Supervisor Daly requested that this item be continued to November 18, 2002.

11/18/2002, RE-REFERRED to Transportation and Commerce Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 030203 [Dogpatch Historic District]**Supervisors Maxwell, Ammiano, McGoldrick**

Ordinance amending the Zoning Map of the City and County of San Francisco to indicate the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 020972 [Designation of the Dogpatch Historic District]**Supervisors Maxwell, Peskin, Ammiano, McGoldrick**

Ordinance amending Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 021338 [Third Street Alcohol Restricted Use District]**Supervisors Maxwell, Ammiano, McGoldrick**

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Dufty, Gonzalez

28. 030292 [Appointment]
Resolution appointing Supervisor Sophie Maxwell, term ending June 30, 2004 to the Peninsula Corridor Joint Powers Board.
Sophie Maxwell, succeeding herself, term expired, seat one, must be a member of the Board of Supervisors for the unexpired portion of a two year term ending June 30, 2004.

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget Committee at a Regular Meeting on Thursday, March 27, 2003 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

From Budget Committee

29. 030415 [Approval of Health Service System Plans and Contribution Rates]
Supervisor Ma
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 40**32. 030498 [Committee of the Whole]****Supervisor Daly**

Motion scheduling a Committee of the Whole to consider the motion to schedule special off-site meetings of the Budget Committee, to be held on April 1st at 3:00 P.M.

3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

33. 030490 [SFUSD Facilities Master Plan]**Supervisors Ammiano, Maxwell, Ma, Dufty**

Resolution urging the Department of Public Works (DPW) and the City Architect, in consultation with the San Francisco Unified School District (SFUSD), to suggest possible options for DPW assistance in providing expertise and services to the School District regarding facility repairs and managing construction projects pursuant to the SFUSD Facilities Master Plan.

3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 030491 [School District Contract for Bus Service]**Supervisors Ammiano, Maxwell, Ma, Dufty**

Resolution urging the Municipal Transportation Agency and the San Francisco Unified School District, in consultation with the San Francisco County Transportation Authority, to coordinate on a process by which the Municipal Transportation Agency would, as an expert consultant to the School District, (1) review current expenditures, routing and vehicles used under the School District's bus transportation service contract, (2) assist the School District in formulating future Requests for Proposals for such services, (3) advise the School District on overseeing the contract for such services, including overseeing the contractor's routing decisions, (4) assist the School District in analyzing school bus emissions and alternative fuel bus technology options for transportation services, and (5) review MUNI routing and schedules on lines frequently used by K-12 students going to and from school.

3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 030492 [District Attorney Prosecutions]
Supervisor Hall
Resolution urging the District Attorney to prosecute to the fullest extent allowed under the law those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders.
- 3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 030493 [City Attorney Pursuit of Costs Associated with Protests]
Supervisor Hall
Resolution urging the Police Department to itemize their expenses associated with the March 20, 21, and 22, 2003 protests and forward that information on to the City Attorney; and, urging the City Attorney to pursue all legal remedies against those responsible for organizing these crippling demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted.
- 3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 030494 [Code Enforcement for Residential Housing]
Supervisor Hall
Resolution authorizing the San Francisco Department of Building Inspection, Housing Inspection Services Division, in conjunction with other relevant municipal code compliance and enforcement departments of the City and County of San Francisco, to apply for, accept, administer and expend funding from the State of California's Department of Housing and Community Development, Division of Codes and Standards, in order to launch a web-based inventory of annotated digital photography documentation of Housing Code violations to be mutually contributed to and shared amongst and between City and County departments charged with compliance with and enforcement of San Francisco Municipal Code requirements for residential housing.
- 3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 030495 [Prohibiting Motor Vehicle on Brant Alley]
Supervisor Peskin
Resolution prohibiting motor vehicle traffic on Brant Alley.
- 3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

39. 030496 [Relocation of Laundry Services to Oyster Point]**Supervisor Peskin**

Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.

3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 030497 [Accept-Expend Federal/State Grant - \$555,000]**Supervisors Daly, Peskin**

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend up to \$555,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

(No Public Benefit Recipient.)

3/25/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda:_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 18, 2003 through March 24, 2003, for reference by President to appropriate committee on April 1, 2003.

- 030510 [Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,026.)

3/24/2003, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/24/2003.

- 022027 [Conflict of Interest Code Amendments]
Supervisor Gonzalez
Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

12/16/2002, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/15/2003.

2/7/2003, TRANSFERRED to Rules Committee. New committee structure 2/17/03.

3/24/2003, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.

3/24/2003, ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 18, 2003 through March 24, 2003, for reference by President to appropriate committee on April 1, 2003.

- 030471 [AIDS surveillance training materials for international sites]
Supervisor Hall
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$93,523 with The Regents of the University of California San Francisco (UCSF), the primary contractor to participate in developing materials, field testing, and providing technical assistance in AIDS surveillance training at various international sites, for the period of January 1, 2003, to September 29, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

3/21/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 10, 2003 meeting.

030511 [Accept-Expend Foundation Grant]

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation for locating air monitoring equipment in San Francisco's Bayview Hunters Point community.

(Environment)

(Public Benefit Recipient.)

3/24/2003, RECEIVED AND ASSIGNED to Land Use Committee. Department requests this item be scheduled for consideration as soon as possible.

030515 [Accept-Expend State Grant]

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$20,840 from the California State Library for continuing family literacy programming as part of Project Read.

(Public Library)

(No Public Benefit Recipient.)

3/25/2003, RECEIVED AND ASSIGNED to City Services Committee.

030516 [Petitions and Communications]

Petitions and Communications received from March 18, 2003 through March 24, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 1, 2003.

From Peter Warfield, regarding proportional reduction in the seating and book collection in the planned renovation for the Richmond Branch Library. Copy: Each Supervisor (1)

From Office of the Mayor, withdrawing the nomination of Michael Brown to the Entertainment Commission dated January 29, 2003. Files 030281, 030282 (2)

From Department of Parking and Traffic, concerning the feasibility of painting red curbs at the intersection of Farragut Avenue and Moneta Way. (Reference No. 20030204-001) (3)

From SF Museum and Historic Society Advisory Committee, submitting report of the preliminary findings of the SF Museum and Historical Society Advisory Committee. (4)

From Sarah Friesema, submitting support for the Planning Commission's decision for Conditional Use of a five-room bed and breakfast hotel on property located at 1193 Oak Street. Files 030254, 030255, Copy: Each Supervisor (5)

From Reuben & Alter LLP, regarding appeal of Negative Declaration on property located at 40-50 Lansing Street. Files 030373, 030374, 030375, 030326 (6)

From Office of the City Administrator, regarding motion passed by the Potrero Power Plant Citizens Task Force urging the Board of Supervisors to adopt and the Mayor to support a policy opposing the permitting of Potrero Unit 7 and to pursue all necessary action to implement that policy. Copy: Each Supervisor (7)

From Coalition for San Francisco Neighborhoods, submitting support for the decision of the technical review panel for Volunteers of America to administer the San Francisco Day Labor Program funds. Copy: Each Supervisor (8)

From concerned citizens, submitting opposition to any cuts in funding for seniors and persons with disabilities living in San Francisco. (9)

From SF Housing Authority, regarding the feasibility of erecting a permanent fence at the dead end of Anderson Street. (Reference No. 20030218-001) Copy: Supervisor Ammiano (10)

From War Memorial and Performing Arts Center, submitting notice that the department has not received any inquiries by any agency of the state or federal government requesting information about any person identified as an immigrant to the United States. (Reference No. 20030113-081) Copy: Supervisor McGoldrick (11)

From concerned citizens, submitting support for proposed 81 unit residential building located at 40-50 Lansing Street (aka 35 Guy Street). Files 030376, 030373, Copy: Each Supervisor (12)

From concerned citizens, urging the Board to ensure the implementation of Proposition A, Instant Runoff voting passed by the voters on March 5, 2002. Copy: Elections (13)

From U.S. Department of Transportation, submitting notice of a Quality Control Review of KPMG's Single Audit of the City and County of San Francisco for fiscal year ended June 30, 2001. (14)

From Mayor's Budget Office, Board of Supervisors Budget Analyst and Controller, submitting three-year budget projection, for fiscal year 2003-04 through fiscal year 2005-06. (15)

From various signators, submitting Form 700 Statement of Economic Interests: (16)
Wade Crowfoot
Catherine Garza
Donna Hall
Stanton Jones
Gabriel Cabrera

From Jim Corrigan, suggesting the City and County can reduce vehicle maintenance costs by reducing the number of vehicles permitted to be driven back and forth to work by City employees. File 030410, Copy: Finance and Audits Committee (17)

From Elections Commission, submitting resolution recommending the Board of Supervisors exercise its sole discretion and eliminate paid ballot arguments in the Voter Information Pamphlet. Copy: Each Supervisor (18)

From Public Utilities Commission, responding to inquiry "about the reason why there is yellow water coming out of taps in homes on Pretor Way" in San Francisco. (Reference No. 20030218-009)
Copy: Supervisor Sandoval (19)

From Senate Rules Committee, submitting reappointment of William Ruh of Montclair and Seymour Van Gundy of Riverside to the Water Quality Control Board, Santa Ana Region. (20)

From Youth Commission, submitting support for ordinance adding Administrative Code Section 10.100-367 that establishes the "Public Education Special Fund". File 030354 (21)

From John Jenkel, submitting copy of his newsletter "Abuse News #634. (22)

From Johannes Pareigis, requesting speed bumps be installed along Austin Alley between Franklin and Gough Streets. Copy: Each Supervisor (23)

From Benny Yee & Associates Real Estate, submitting his Redevelopment Commission voting record. Copy: Each Supervisor (24)

From Department of Public Works, regarding the temporary placement of construction bins on City streets. (Reference No. 20030113-011) Copy: Supervisor McGoldrick (25)

From SF Architectural Heritage, submitting support for the designation of Dogpatch as a Historic District in San Francisco. (26)

From SF Soccer Football League, Inc., regarding the alleged unworkable schedule proposed by the Recreation and Park Department for the SF Soccer Football League (SFSFL). (27)

From Coalition for San Francisco Neighborhoods, submitting copy of letter sent to the Planning Department requesting proposed hearing on the Housing Element with "intent to adopt" be continued for 90 days. Copy: Each Supervisor (28)

From concerned citizens, submitting opposition to the war protestors in San Francisco. Copy: Each Supervisor (29)

From John Clark, submitting copy of "Awake" magazine regarding child prostitution. (30)

From Emily Drennen, urging the Board to do what they can to end the alleged SF Police Department's illegal and unethical acts towards peace activists. (31)

From concerned citizens, suggesting an Environmental Impact Report is absolutely essential for the San Francisco Marina Renovation. File 030133 (32)

From Phoebe Williams, submitting copy of letter sent to her from U.S. Senator Feinstein regarding confrontation with Iraq. (33)

From Coleman Advocates for Children and Youth, submitting brochure regarding funding for the children's budget. Copy: Each Supervisor (34)

From concerned citizen, submitting opposition to place another Decaux automatic pay toilet in the Haight Ashbury District. Copy: Each Supervisor (35)

From Steve Bridges, submitting opposition to the decision to place Alex Fagan Sr. in charge of SF Police Department operations while an important investigation is underway involving both himself and his son Alex Fagan Jr. Copy: Each Supervisor (36)

From Martin Lyon, suggesting that the Park Presidio Blvd. name be extended through the "Y" intersection in Golden Gate Park to 19th Avenue at Lincoln Way. Copy: Each Supervisor (37)

From James Ludwig, regarding an article entitled "Leaping Lemurs" in the March issue of Wildlife Conservation. (38)

From Michael Bono, submitting opposition to President Bush's proposed tax cut package. (39)

From Office of the Controller, submitting "External Auditors' Management Letters" for fiscal year ended June 30, 2002. (40)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 8, 2003 2:00 PM

Regular meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

4:00 PM

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 p.m.

Wednesday

9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodía del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 4, 2003 and March 18, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufy, Gonzalez

1. 030322 [Settlement of Lawsuit - Maxuman Lamar Chenier]
Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for \$237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. **030343** **[Settlement of Lawsuit - SamTrans/Tanforan]**
Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of \$2,544,500.
(City Attorney)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. **030385** **[Appointment]**
Resolution appointing Randall Low and John G. Williams, terms ending January 15, 2006 to the San Francisco Health Authority. Residency requirement waived for John G. Williams.
Randall Low, term expired, seat 7, must be a physician, and nominee of SF Medical Society or any successor organization for the unexpired portion of a 3-year term ending January 15, 2006.
John G. Williams (residency requirement waived), succeeding Jack Fries, term expired, seat 4, must be Senior Manager of St. Luke's Hospital for the unexpired portion of a 3-year term ending January 15, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma

4. **030415** **[Approval of Health Service System Plans and Contribution Rates]**
Supervisors Ma, Daly
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(No Public Benefit Recipient.)

4/1/2003, PASSED ON FIRST READING.

4/1/2003, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

5. 030315 [Fleet Management Program]
Supervisors Peskin, Daly
Ordinance amending the San Francisco Administrative Code by repealing existing Section 4.10-1 and adding a new Section 4.10-1, to place all City general purpose vehicles under the jurisdiction of the Director of Administrative Services as part of a comprehensive fleet management program.

4/1/2003, PASSED ON FIRST READING. Supervisor Daly requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

6. 012042 [Zoning Map Amendment - King and Townsend Streets]
Supervisors Daly, Maxwell
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 8H, to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X; and making findings of consistency with the General Plan and Planning Code Section 101.1.

8/8/2002, CALLED FROM COMMITTEE.

8/19/2002, CONTINUED. Supervisor Daly requested that this item be continued to November 18, 2002.

11/18/2002, RE-REFERRED to Transportation and Commerce Committee.

4/1/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 020972 [Designation of the Dogpatch Historic District]
Supervisors Maxwell, Peskin, Ammiano, McGoldrick, Dufty, Newsom
Ordinance amending Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/1/2003, PASSED ON FIRST READING. Supervisors Dufty and Newsom requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

8. 030203 [Dogpatch Historic District]**Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Peskin**

Ordinance amending the Zoning Map of the City and County of San Francisco to indicate the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/1/2003, PASSED ON FIRST READING. Supervisors Dufty and Peskin requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

9. 021338 [Third Street Alcohol Restricted Use District]**Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Newsom**

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/1/2003, PASSED ON FIRST READING. Supervisors Dufty and Newsom requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, Daly

10. 030389 [Agreement to sell former Central Freeway parcel]

Resolution approving and authorizing an agreement for the sale at 94% of fair market value of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.

(Real Estate Department)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma, Gonzalez

11. 030352 **[Parking Meter Rates]**
Mayor
Ordinance approving parking meter rates.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

12. 030424 **[Establishing parking violation and late payment penalties]**
Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties.
(Budget Committee)
(Supervisor Daly dissenting in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Ma

13. 030141 **[Review of Current City Budget Reserve and Fund Balance Practices]**
Supervisors Ammiano, Ma, Newsom, McGoldrick, Peskin
Resolution urging the Controller to review current City and County budget reserve and fund balance practices and best practices in other local jurisdictions, review historic changes in City revenues and one-time expenditures during periods of greater than average growth in City revenues and best practices in other jurisdictions, review and analyze the feasibility of establishing a revenue stabilization fund for use during economic downturns funded by extraordinary growth in City revenues, and recommend to the Mayor and the Board of Supervisors best practices for budget reserves and fund balances and recommendations for allocation of greater than average growth in General Fund revenues for a revenue stabilization fund, prevention programs, one-time capital spending and spending on deferred maintenance.

Question: Shall this Resolution be ADOPTED?

14. 030305 [Budget Direction to the Clerk of the Board of Supervisors and City Departments]
Supervisors Ammiano, Daly, Peskin

Motion directing the Clerk of the Board of Supervisors to identify and recommend to the Budget Committee potential cuts equaling 10 and 20% of the Board of Supervisors budget, directing the Budget Analyst to contact elected officials and department heads in General Fund supported City departments to request proposed cuts equaling 10 and 20% of General Fund supported costs for administrative positions earning a base salary of more than \$90,000 annually, including all Management Compensation and Classification Plan (MCCP) positions, and non-essential functions within their administrative budgets, directing the Budget Analyst to develop a budget justification and staffing analysis in consultation with the Fire Department to transfer Chief's Aides to firefighting or other appropriate positions within the Fire Department and urging the Director of Human Resources to expand planned job placement assistance programs to City employees who are laid off during the budget process to meet the needs of professional staff, including identifying potential job opportunities in non-General Fund departments and other government agencies.

Question: Shall this Motion be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

15. 021999 [Biosciences Task Force]
Supervisors Maxwell, Dufty

Resolution establishing a Biosciences Task Force to make policy recommendations to the Board of Supervisors and setting forth the membership and duties of the Task Force.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

16. 030376 [Public Hearing - Appeal, Negative Declaration for 40-50 Lansing Street]
Hearing of persons interested in or objecting to the Planning Commission certification of Final Mitigated Negative Declaration, File No. 2002.0446E, for a proposed 81 unit Residential Building located at 40-50 Lansing Street (aka 35 Guy Street), Block 3749, Lot 11, in San Francisco.
(Clerk of the Board)
(Appeal filed February 21, 2003; Publication of Preliminary Mitigated Negative Declaration: October 19, 2002; Amended Mitigated Negative Declaration: December 30, 2002; Final Mitigated Negative Declaration adopted and issued on February 20, 2003; Planning Commission Motion No. 16530 affirming the decision to issue a Mitigated Negative Declaration dated February 20, 2003; companion measure to Files 030373, 030374, 030375; General Public Hearing Notice mailed March 12, 2003; District 6.)

3/25/2003, CONTINUED. Continued to April 8, 2003

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**(Only one of the following two motions should be adopted.)**

17. 030373 [Affirm adoption of the negative declaration for 40-50 Lansing Street]
Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

3/25/2003, CONTINUED. Continued to April 8, 2003
Question: Shall this Motion be ADOPTED?
18. 030374 [Reversing adoption of the negative declaration for 40-50 Lansing Street]
Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

3/25/2003, CONTINUED. Continued to April 8, 2003
Question: Shall this Motion be ADOPTED?

19. 030375 [Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)

3/25/2003, CONTINUED. Continued to April 8, 2003

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

20. 030477 [Hearing - Budget Committee Special Off-site Meetings]
Hearing before the full Board of Supervisors to consider motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.
(Clerk of the Board)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

21. 030499 [Off-Site Budget Committee Meetings]
Supervisor Daly
Motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget Committee at a Regular Meeting on Thursday, April 3, 2003 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

From the Budget Committee

22. 030420 [Specifying that revenues from littering citations issued by DPW environmental control officers go to DPW]
Supervisors McGoldrick, Dufty, Maxwell, Ma, Peskin
Ordinance amending Section 38 of the Police Code Article to specify that revenues from citations issued by DPW environmental control officers for littering shall be allocated to DPW and used to fund litter enforcement and abatement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 030482 [Administrative Penalties for Littering and Specified Nuisance]
Supervisors McGoldrick, Peskin, Maxwell
Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 581 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.4 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee

The following item will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 2, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

24. 022027 [Conflict of Interest Code Amendments]
Supervisor Gonzalez
Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

26. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 27 through 42

27. 030528 [Temporary Assistance for Needy Families (TANF) reauthorization]

Supervisor Gonzalez

Resolution urging the United States Congress to reauthorize TANF funds without 1) increasing the weekly work requirement from 30 to 40 hours or 2) shortening the length of time welfare recipients can participate in educational and vocational training.

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 030529 [Commend US Youth Games Taste on the Bay]

Supervisor Hall

Resolution commending the US Youth Games Taste on the Bay event organizers and participants for their efforts to raise necessary funds for the 2003 United States Youth Games to be held July 25-29, 2003 in San Francisco and to proclaim Tuesday, April 22, 2003 as US Youth Games Taste on the Bay Day in San Francisco.

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 030530 [CEDAW Gender Analysis]
Supervisors Newsom, Ma, Dufty
Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 030531 [Hetch Hetchy Water System Capital Improvement Program]
Supervisor Newsom
Resolution urging the San Francisco Public Utilities Commission to expedite the implementation of the Capital Improvement Program to rehabilitate, repair and upgrade the Hetch Hetchy Water System and to begin developing plans for a Project labor Agreement with the appropriate labor unions system wide, and to report in writing on the status to the Board of Supervisors within forty-five days of the adoption of this resolution.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 030532 [Recognition of the Armenian Genocide]
Supervisors Peskin, Ammiano, Daly, Gonzalez, McGoldrick, Hall, Newsom, Maxwell, Sandoval
Resolution calling upon Congressman Tom Lantos to reflect the will of the people and elected representatives of San Francisco by supporting and advocating for proper recognition of the Armenian Genocide.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 030533 [Extend Asthma Task Force]
Supervisor Maxwell
Resolution to extend the Asthma Task Force to June 30, 2005.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 030542 [Commend Hands On San Francisco]
Supervisors Ma, Dufty
Resolution recognizing Hands On San Francisco for its achievements and declaring May 10, 2003 to be "Hands On San Francisco Day" in San Francisco.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

**34. 030543 [Frances F. Lee Day]
Supervisor Ma**

Resolution recognizing the contributions made by Ms. Frances F. Lee during her career at City College of San Francisco and her dedicated service to the community and declaring May 9, 2003 to be the "Frances F. Lee Day" in San Francisco.

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**35. 030544 [Commend Jacquelyn Wheatley Green]
Supervisor Ma**

Resolution recognizing the achievements of Jacquelyn Wheatley Green.

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**36. 030545 [Commend Bill Moyers]
Supervisor McGoldrick**

Resolution commending Bill Moyers for his PBS special series, "Becoming American: The Chinese Experience."

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**37. 030502 [Final Map for a 6 Unit Residential Condominium Project]
Supervisor Dufty**

Motion approving Final Map of 2112 Hyde Street, A Residential Condominium Project, being a subdivision of Lot 16, Assessor's Block No. 94, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,036; District 2.)

3/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

38. 030503 [Final Map for a 8 Unit Residential Condominium Project]

Motion approving Final Map of 1688 Wallace Avenue, A Residential Condominium Project, being a subdivision of Lot 9 in Assessor's Block No. 5387, and adopting findings pursuant to Planning Code Section 101.1

(Public Works Department)

(No Public Benefit Recipient; DPW Order No.174,037; District 10.)

3/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

39. 030508 [Final Map for a 10 Unit Mixed Use Condominium Project]
Motion approving Final Map of 305-315 Santa Rosa Avenue, a Mixed Use Condominium Project, being a subdivision of Lot 40, Assessor's Block No. 3144A, and adopting findings pursuant to Planning Code Section 101.1
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,035; District 7.)

3/31/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
40. 030509 [Final Map for a 10 Unit Mixed Use Condominium Project]
Motion approving Final Map of 8-18 Colonial Street, a Mixed Use Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 3144A, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,034; District 11.)

3/31/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
41. 030552 [Final Map for a 9 Unit Residential Condominium Project]
Motion approving Final Map of 420 Stanyan Street, A Residential Condominium Project, being a subdivision of Lot 40 in Assessor's Block No. 1191, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,038; District 5.)

3/31/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
42. 030517 [Declaration of Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Duffy
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*[Imperative Resolutions, if any]***OFF-AGENDA LEGISLATION****PROPOSED ORDINANCES**

Proposed ordinances received from March 25, 2003 through March 31, 2003, for reference by President to appropriate committee on April 8, 2003.

030475 [Settlement of Lawsuit - Sohail Ali, et al.]

Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for \$47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

3/27/2003, RECEIVED AND ASSIGNED to Rules Committee.

030500 [Settlement of Lawsuit - Poppie Kouremetis]

Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to \$75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

3/27/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 25, 2003 through March 31, 2003, for reference by President to appropriate committee on April 8, 2003.

030501 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend supplemental grant funding in the amount of \$10,000 for Federal FY 1999 and a grant amount of \$14,655 for Federal FY 2002 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department, Police Department and the Office of the District Attorney with armor vests.

(Mayor)

(No Public Benefit Recipient.)

3/26/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration as soon as possible.

030504 [Accept-Expend Federal Grant - Project Sentry]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a project entitled "Project Sentry", and waiving indirect costs due to funding constraints.

(District Attorney)

(No Public Benefit Recipient.)

3/26/2003, RECEIVED AND ASSIGNED to City Services Committee.

030505 [Outreach Advertising]

Resolution designating the Asian Week to be outreach newspaper of the City and County of San Francisco for the Chinese community for outreach advertising for the fiscal year commencing July 1, 2003 and ending June 30, 2004.

(Purchaser)

(No Public Benefit Recipient.)

3/31/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030506 [Official Advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the fiscal year commencing July 1, 2003 and ending June 30, 2004.

(Purchaser)

(No Public Benefit Recipient.)

3/31/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030507 [AIDS Prevention Studies in Africa]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$11,652 to participate in AIDS prevention studies in Africa, for the period of January 1, 2003 to December 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

3/31/2003, RECEIVED AND ASSIGNED to City Services Committee.

030512 [Accept-Expend Federal Grant - Department of Children, Youth and Their Families]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$300,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) that targets Vietnamese and Central American newcomer girls between the ages of 0 to 18 in the Tenderloin and Mission neighborhoods.

(Mayor)

(No Public Benefit Recipient.)

3/25/2003, RECEIVED AND ASSIGNED to City Services Committee.

030513 [Accept-Expend Federal Grant - Department of Children, Youth and Their Families]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of three hundred and fifty thousand dollars (\$350,000) from the United States Department of Justice, Office of Justice Programs, Violence Against Women Office for Safe Havens: Supervised Visitation and Safe Exchange Program.

(Mayor)

(No Public Benefit Recipient.)

2/25/2003, RECEIVED AND ASSIGNED to City Services Committee.

030562 [Petitions and Communications]

Petitions and Communications received from March 25, 2003 through March 31, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 8, 2003.

From Office of the Controller, Audits Division, submitting report concerning the audit of the department head transition at the Department of Aging and Adult Services. (1)

From Willie B. Kennedy, submitting support for re-appointment of Bennie Yee and Leroy King to the Redevelopment Commission. Files 030190, 030188, Copy: Each Supervisor (2)

From Mayor's Budget Office, Controller, Board of Supervisors Budget Analyst, submitting three-year budget projection for fiscal year 2003-04 through 2005-06. (3)

From Planning Department, submitting certificate of determination of exemption/exclusion from environmental review for Showplace Square Area, at King and Townsend Streets near Seventh Street. Copy: Each Supervisor (4)

From Office of the Controller, submitting budget presentation entitled "At a Glance" for the Fire Department, Police Department and the Department of Public Health. Copy: Budget Committee (5)

From Department of Administrative Services, regarding the Annual Joint Fundraising Drive for 2003. File 030212, Copy: Budget Committee (6)

From Municipal Railway, regarding pedestrian safety issues around the ARCO gas station at the intersection of Geneva and Naples to protect pedestrians and MUNI riders waiting at the bus stop from cars exiting the gas station. (7)

From Department of Parking and Traffic, concerning the feasibility of adding a left turn signal for northbound San Jose Avenue onto Sagamore Street. (Reference No. 20021118-007) Copy: Supervisor Sandoval (8)

From Department of Human Resources, submitting revised Actuarial Report dated March 21, 2003, by Towers Perrin, as required under Section A8.422 of Appendix A to the San Francisco Charter. Copy: Finance Committee (9)

From Office of the Controller, Audits Division, submitting Report of Reassessments and Mandated Audits completed by the Office of the Assessor-Recorder for the period from December 16, 2001 through December 15, 2002. (10)

From Department of Parking and Traffic, concerning the feasibility of marking pedestrian crosswalks and adding signage at the Santa Clara Avenue, Yerba Buena Avenue and Santa Monica Way intersection. (Reference No. 20020408-008) Copy: Supervisor Hall (11)

From Real Estate Division, submitting revised Agreement for Sale of property between SF Architectural Heritage and the City and the Redevelopment Agency for property located at 1345 Turk/1140 Fillmore. File 03-0003, Copy: Finance Committee (12)

From Planning Department, submitting certificate of determination of exemption/exclusion from environmental review for proposed ordinance regarding major exterior alterations to residential buildings in San Francisco. File 022030 (13)

From Recreation and Park Department, regarding improvements for pedestrian safety near the Palace of Fine Arts recommended by the Department of Parking and Traffic. (Reference No. 20030113-018) Copy: Supervisor Newsom (14)

From Todd Curtis, filing notice of appeal for property located at 3537-3596 19th Street from action of Planning Commission. (15)

From Department of Public Health, regarding status of SF General Hospital Medical Center's Air Medical Access Needs Assessment and Feasibility Study. (Reference No. 20030211-011) Copy: Supervisor Newsom (16)

From Office of the Controller, Audits Division, submitting report concerning the financial audit of the Statement of Cash and Investments of the Office of the Treasurer and Tax Collector for the quarter ended December 31, 2002. (17)

From Department of Children, Youth and Their Families, submitting directory of programs funded by the Department of Children, Youth and Their Families for 2002-2004. (18)

From Recreation and Park Department, submitting request for release of reserved funds (\$1,214,826) for the department to manage, design and construct park and recreation facilities anticipated in the Department's Capital Plan. (19)

From concerned citizens, submitting opposition to the District Attorney's decision to not file felony charges against the "protestors". (20)

From John Jenkel, submitting two newsletters entitled "Abuse News" dated March 24, and March 25, 2003. (21)

From Anna Mazzetti, commenting on the homeless situation in Dolores Park. Copy: Each Supervisor (22)

From SF Child Care Planning and Advisory Council (CPAC), submitting opposition to the Governor's proposed budget for fiscal year 2003-2004 realigning child care and other social services to the county level. (23)

From Bay Rail Alliance, submitting support for AB 812, to allow the construction of the Transbay Terminal on the site of the existing terminal building. (24)

From Jim Corrigan, commenting on the wage difference between the SF Fire Department Battalion Chiefs and Daly City Fire Department Battalion Chiefs. Copy: Each Supervisor (25)

From Mario Rogers Sr., submitting support for continued funding for Liberation House Inc., a non-profit, residential alcohol and drug treatment program in San Francisco. Copy: Each Supervisor (26)

From Lauren Mobley, submitting support for legislation that would allow law enforcement to implement anti-panhandling and loitering in San Francisco. (27)

From Jonathan Mayer, commenting on the closure of the Fell Street exit off ramp. (28)

From State Department of Fish and Game, submitting schedule of workshops regarding the Fisheries Restoration Grant Program for fiscal year 2003/2004. (29)

From various signators, submitting Form 700 Statement of Economic Interests: (30)

Arthur Louie
Frank Darby
Madeleine Licavoli
Rose Chung
Gerardo Sandoval
Sophenia Maxwell

Mary Irwin (Landers)
Pedro Rodriguez
Diane Fellman
Alexandra Young
Tony Hall
Sean Esbernd
Julia Lin
Kathleen Gulbengay -
Debra Newman
Rachel Redondiez
Tom Ammiano
Nancy Miller
Tracy Genesen
David Eggerton
Nancy Beauregard
Angela Calvillo

ADJOURNMENT

03

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

APR 10 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 15, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the March 25, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

1. 030478 [Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for \$153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 030479 [Settlement of Lawsuit - CNET Networks, Inc.]**Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for \$137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. 030480 [Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]**Supervisor Gonzalez**

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for \$37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 030481 [Authorization to make a binding settlement offer - Federated Western Properties, Inc.]**Supervisor Gonzalez**

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Sandoval

5. 030398 [Lease of Real Property]

Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco.
(Real Estate Department)
(Public Benefit Recipient; District 10.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

6. 030387 [Center for AIDS Prevention Studies]
Supervisors Dufty, Ma, Newsom
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$10,640 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide primary scientific oversight of activities for projects in Africa of the Center for AIDS Prevention Studies, for the period of September 1, 2002, to August 31, 2003.
(Public Health Department)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
7. 030388 [AIDS-related training package]
Supervisors Dufty, Ma, Newsom
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$37,929 with The Regents of the University of California San Francisco (UCSF), the primary contractor to collaborate in developing, testing, evaluating, and refining an AIDS-related training package, for the period of July 1, 2002, to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
8. 030405 [Accept-Expend Grant for Sunol Valley Fluoridation Facility]
Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of \$250,000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility.
(Public Utilities Commission)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
9. 030407 [Expand behavioral health services system of care for children and youth in San Francisco]
Supervisors Dufty, Ma, Newsom
Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively a grant in the amount of \$1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003.
(Public Health Department)
(Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

10. 030287 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH
20th Street, both sides, between Church and Sanchez Streets (3900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Fell Street, south side, from 167.5 feet to 171 feet west of Divisadero Street (in front of 1217 - 1221
Fell Street, accommodates one unmetered motorcycle parking stall)

(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and
parking regulations where such changes do not establish a higher speed limit or result in more than a
negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

11. 030288 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

24th and Tennessee Streets, stopping 24th Street at Tennessee Street;

18th and Danvers Streets, stopping Danvers Street, making this intersection an all-way STOP;

Gough Street at Francisco Street, stopping at Gough Street, making this intersection an all-way STOP;

Octavia Street at Francisco Street, stopping Octavia Street, making this intersection an all-way STOP;
and

Alhambra, Francisco and Scott Streets, stopping Scott Street, making this intersection an all-way
STOP.

(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and
parking regulations where such changes do not establish a higher speed limit or result in more than a
negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

12. 030322 **[Settlement of Lawsuit - Maxuman Lamar Chenier]**
Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for \$237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

4/8/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

13. 030324 **[Appointment]**
Resolution appointing Charles Striplen, term ending April 21, 2004 to the San Francisco Museum and Historical Society Advisory Committee. Residency requirement waived.
Charles Striplen, (residency requirement waived), new position, seat 3, the Community Representative must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay area, for a one year term ending April 21, 2004.

Question: Shall this Resolution be **ADOPTED?**

Present: Supervisors Duffy, Gonzalez

14. 030344 **[Settlement of Claim - Kristina Wuslich]**
Resolution approving the settlement of the unlitigated claim filed by Kristina Wuslich against the City and County of San Francisco for \$250,000; claim was filed on June 14, 2002.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Resolution be **ADOPTED?**

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

15. 030549 [Adopting findings related to the conditional use appeal on property located at 1193 Oak Street]
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.1007C (which allowed the establishment of a bed and breakfast inn with five guestrooms within the existing second floor dwelling unit of a building located in an RM-2 District and a 40-X Height and Bulk District) for property located at 1193 Oak Street (Lot 023 in Assessor's Block 1218).
(Clerk of the Board)
(Companion measure to Files 030253, 030254; 030255; 030256.)

4/7/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma, Gonzalez

16. 030352 [Parking Meter Rates]
Mayor, Supervisor Gonzalez
Ordinance approving parking meter rates.
(Mayor)
(No Public Benefit Recipient.)

4/8/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

17. 030424 [Establishing parking violation and late payment penalties]
Supervisor Gonzalez
Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties.
(Budget Committee)
(Supervisor Daly dissenting in Committee)

4/8/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

18. 022027 **[Conflict of Interest Code Amendments]**
 Supervisor Gonzalez
Ordinance amending sections 3.1-109, 3.1-110, 3.1-120, 3.1-135, 3.1-140, 3.1-145, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-195, 3.1-230, 3.1-240, 3.1-245, 3.1-250, 3.1-260, 3.1-265, 3.1-270, 3.1-275, 3.1-310, 3.1-315, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-360, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-430, 3.1-435, and 3.1-445; deleting section 3.1-330 of the Campaign and Governmental Conduct Code; and adding sections 3.1-169 and 3.1-225 to the Campaign and Governmental Conduct Code to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements.

4/8/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

19. 030343 **[Settlement of Lawsuit - SamTrans/Tanforan]**
Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of \$2,544,500.
(City Attorney)
(No Public Benefit Recipient.)

4/8/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

20. 030416 [Funding for lease financing of two asphalt storage silos]
Ordinance appropriating \$2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

21. 020592 [Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]
Supervisor Peskin
Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 314.5, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees, and require that funds from the Child Care Capital Fund and the Downtown Park Fund be used to fund nexus studies for the Downtown Park Fee and the Child Care Fee; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

3/18/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title and requested this item be scheduled for consideration at the March 2, 2003 meeting.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Sandoval

22. 030212 [2003 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2003 Annual Joint Fundraising drive for officers and employees of the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Newsom

23. 030030 [Liquor License, 1695 Polk Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Patrick Gilles, Steve Bowman and Jay Seigan for "Red Devil Lounge" located at 1695 Polk Street (District 3), in exchange for its current Type 47 on-sale general eating place license, will serve the convenience of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

24. 021854 [Construction Site Sign Requirements]
Supervisor Peskin
Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

3/25/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 030207 [2161 Sutter Street - Zoning Map Change]
Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)
(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

3/25/2003, REFERRED to Land Use Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 030274 **[Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]**
Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 030289 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED, 6 AM to 8 PM, DAILY - ESTABLISH
Drumm Street, southbound, at Sacramento Street.
(Parking and Traffic Department)
(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following item will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 9, 2003. The Chair intends to request the Committee to send the following item to the Board as a committee report.

28. 030191 **[Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission] Mayor**
Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006.
(Mayor)

3/18/2003, CONTINUED. Continued to March 25, 2003

3/25/2003, RE-REFERRED to Rules Committee. Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

Question: Shall this Resolution be ADOPTED?

From the City and School District Select Committee

The following item will be considered by the City and School District Select Committee at a Special Meeting on Monday, April 14, 2003. The Chair intends to request the Committee to send the following item to the Board as a committee report.

29. 030354 **[Public Education Special Fund] Supervisors Daly, Ma**
Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 43

32. 030530 [CEDAW Gender Analysis]
Supervisors Newsom, Ma, Dufty
Resolution urging City Departments to consider a CEDAW gender analysis prior to proposing departmental budget and/or staff cuts.
- 4/1/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
4/8/2003, CONTINUED. Continued to April 15, 2003
Question: Shall this Resolution be ADOPTED?
33. 030584 [National Professional Social Worker Month]
Supervisors Ammiano, Sandoval, Dufty
Resolution honoring National Professional Social Worker Month.
- 4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 030585 [Ethics Commission - Screening, Ethics Training and Policies]
Supervisor Ammiano
Resolution urging the Ethics Commission to conduct a public hearing and develop and present to the Mayor, the Board of Supervisors and other City elective officeholders recommended procedures for: screening applicants to City commissions and for at-will employment; training City commissioners and staff regarding City conflict-of-interest and Sunshine requirements; and additional policies to maintain ethical conduct.
- 4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

35. 030586 [Transition Management]
Supervisor Amunio
Resolution requesting that the City Attorney develop proposed transition management plans for City elective offices.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 030587 [Strategies for Homeless Individuals with Mental Health and Dual Diagnoses]
Supervisors Amunio, Dufty
Resolution urging the Director of Public Health, in consultation with community organizations, to develop a report addressing "Comprehensive Strategies to Serve Homeless Individuals with Mental Health Diagnoses, Substance Abuse Diagnoses and Chronic Medical Conditions."

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030588 [Pursuit of federal and state charges]
Supervisor Hall
Resolution urging the District Attorney and City Attorney to explore with Federal and State legal authorities the possibility of pursuing Racketeer Influenced and Corrupt Organizations Act (RICO) charges and any other federal or state violations against the organizers of the March 20th protests and subsequent days in the City and County of San Francisco.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030589 [Use of the City Flag in "The Flags of California" Publication]
Supervisor Gonzalez
Resolution granting permission to Historian Stan Mottaz to use the Flag of the City and County of San Francisco in his forthcoming book, entitled "The Flags of California."

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 030590 [Pedestrian Safety]
Supervisors Newsom, Dufty
Resolution requesting the Department of Parking and Traffic to implement greater awareness and public outreach regarding its Pedestrian Program-Walk Safe and setting forth some recommendations to accompany this request.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

40. 030591 [National Public Safety Telecommunicators' Week]
Supervisors Newsom, Dufty
Resolution commending the San Francisco Emergency Communications Department, its entire dispatch team and proclaiming the week of April 13th through April 19th, 2003 as National Public Safety Telecommunicators' Week in the City and County of San Francisco.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 030592 [Commend Latino Behavioral Health Planning Committee]
Supervisors Sandoval, Dufty
Resolution commending The Latino Behavioral Health Planning Committee (LBHPC) for their dedication to providing mental health and substance abuse services to Latino communities in California.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 030583 [Release of Reserved Funds, Airport Commission]
Supervisors Dufty, Newsom
Motion releasing the \$5 million Airport Development Bureau allocation for Fiscal Year 2002-03 being held in reserve.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

43. 030564 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

4/8/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 1, 2003 through April 7, 2003, for reference by President to appropriate committee on April 15, 2003.

030539 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for \$175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to Rules Committee.

030541 [Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment.
(Public Works Department)
(No Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to City Services Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 1, 2003 through April 7, 2003, for reference by President to appropriate committee on April 15, 2003.

030534 [Used Oil Recycling Block Grant, 9th Cycle, Fiscal Year 2003/2004]**Supervisor Duffy**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$244,619.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.
(Environment)

(Public Benefit Recipient.)

4/1/2003, RECEIVED AND ASSIGNED to City Services Committee. Timeline request from Department: Resolution must be submitted to the California Integrated Waste Management Board by May 16th, 2003 to secure grant funds.

030535 [State Grant for Enforcing Proper Disposal of Waste Tires]

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of \$189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.

(Environment)

(No Public Benefit Recipient.)

4/1/2003, RECEIVED AND ASSIGNED to City Services Committee.

030536 [Amendment to Real Property Lease]

Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment.

(Real Estate Department)

(Public Benefit Recipient; District 6.)

4/2/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030537 [Research on club-drugs and HIV risk behavior in high-risk men]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of \$159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

4/3/2003, RECEIVED AND ASSIGNED to City Services Committee.

030540 [Airport Concession Lease]

Resolution approving the Terminal 3 Specialty Retail Store Lease between Brookstone Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

(Airport Commission)

(Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030546 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS- ESTABLISH

Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street; Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;

20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP; Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;

Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;

Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;

Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

(Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030547 [Traffic Regulations on Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH

Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH

Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND

The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND

The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH

Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH

Gentry Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND SUNDAY - RESCIND**NO LEFT TURN - ESTABLISH**

Judah Street, both directions, at 14th Avenue.

(Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030548 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street east side, between 21st and 22nd Streets (900 block); and Church Street, west side, between 21st and Hill Streets (900 block).

NOTE: The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Northern end of 20th Avenue, north of Lake Street, from west curb to 20 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street.
(Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

4/4/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030605 [Modification #9 to Lease and Use Agreement with US Airways, Inc. at Terminal 1 - SF International Airport]

Resolution approving and authorizing the execution of Modification # 9 to the Lease and Use Agreement L-82-0120 with US Airways, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.

(Airport Commission)

(Public Benefit Recipient.)

4/3/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED MOTIONS

Proposed motions received from April 1, 2003 through April 7, 2003, for reference by President to appropriate committee on April 15, 2003.

030550 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission, term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030551 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission for the term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030599 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030600 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission for the term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030601 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030602 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission for the term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030603 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission, term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030604 [Appointment, Entertainment Commission]

Motion rejecting the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission for the term to be determined.

(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

4/7/2003, RECEIVED AND ASSIGNED to Rules Committee.

030608 [Petitions and Communications]

Petitions and Communications received from April 1, 2003 through April 7, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 15, 2003.

From Redevelopment Agency, submitting financial and performance reports for the fiscal year ended June 30, 2002 and December 31, 2002. (1)

From United Nations Plaza Working Group, submitting report entitled "Gateway to the Civic Center: United Nations Plaza Renovation" dated March 28, 2003. (2)

From Budget Analyst, submitting Activity Status Report for the quarter ending March 31, 2003. Copy: Each Supervisor (3)

From Office of the City Attorney, submitting a detailed City Attorney Report for February 2003; a summary of hours of service provided from February 1-28, 2003. (4)

From Department of Public Works, regarding the installation of traditional historic park signs Citywide. (Reference No. 20030121-004) Copy: Supervisor Ma (5)

From Office of the Treasurer, submitting report on the Cash Differences and Overages Fund for the period ending March 31, 2003. (6)

From Ethics Commission, submitting First Quarter Summary Report of Campaign Consultant Activity during the period of December 1, 2002 through February 28, 2003. Copy: Each Supervisor (7)

From SF Architectural Heritage, submitting support for designating Dogpatch as a Historic District in San Francisco. File 030203, Copy: Each Supervisor (8)

From Waste Management, submitting requests for ordinances and regulations governing campaign contributions, electioneering, lobbying and gifts. (9)

From Recreation and Park Department, submitting request for release of reserved funds totaling \$1,087,131 (Neighborhood Park Facilities Improvement Bonds 2000) for sixteen new positions to oversee and manage the Capital Program. Copy: Finance and Audits Committee (10)

From Richard Shadoian, Elections Commissioner, submitting opposition to removing paid ballot arguments from the Voter's Information Pamphlet. Copy: Each Supervisor (11)

From Department of Human Services, submitting request for waiver of provisions of Administrative Code Chapters 12A and 12B for a contract with Equifax to provide credit checks, social security search, and skip tracing services to locate or validate a client's address, employment and to assess a client's ability to pay back inappropriately awarded benefits. (12)

From Department of Parking and Traffic, regarding the feasibility of installing angle parking on Madrid Street, between Avalon and Peru Avenues. (Reference No. 20030304-004) Copy: Supervisor Sandoval (13)

From Office of the Legislative Analyst, submitting report on San Francisco's criminal justice system with a specific emphasis on the city's offender profile relative to Alameda County. File 021527, Copy: Supervisor Daly (14)

From the Tenderloin Futures Collaborative, regarding the definition of adult entertainment and its impact on the Tenderloin District of San Francisco. Copy: Each Supervisor (15)

From Gray Panthers of San Francisco, urging implementation of Prop A (Instant Runoff Voting), for the upcoming November election passed by the San Francisco voters in March 2002. Copy: Each Supervisor (16)

From Fire Department, submitting notice of annual inspection (March 18, 2003) relating to fire and life safety at the Richmond Police Station at 461 6th Avenue. (17)

From Fire Department, submitting notice of annual inspection and re-inspection (February 26, 2003 and March 20, 2003) relating to fire and life safety at the Civic Center Courthouse at 400 McAllister Street. (18)

From Fire Department, submitting notice of annual inspection (March 11, 2003) relating to fire and life safety at the Bayview Police Station at 201 Williams Avenue. (19)

From Calaveras County Board of Supervisors, regarding increased continuous appropriation to the USDA-APHIS, Wildlife Services budget to support California's Cooperative Wildlife Services Program. Copy: Each Supervisor (20)

Jacqueline L. Ricci, submitting opposition to Juvenile Probation Department's proposed closure of Log Cabin Ranch. (21)

From Sutter County Board of Supervisors, regarding increased continuous appropriation to the USDA-APHIS, Wildlife Services budget to support California's Cooperative Wildlife Services Program. Copy: Each Supervisor (22)

From Lawyers' Committee for Civil Rights of the San Francisco Bay Area, submitting copy of letter sent to Director of the Department of Elections urging implementation of Prop A (Instant Runoff Voting), for the upcoming November election that was passed by the San Francisco voters in March 2002. (23)

From Clerk of the Board, concerning the City's risk management efforts and a review of best practices in this area. (Reference No. 20030325-139) Copy: Supervisor McGoldrick (24)

From Clerk of the Board, concerning the City's procedures governing risk management. (Reference No. 20030325-204) Copy: Supervisor McGoldrick (25)

From Clerk of the Board, commenting that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 2003025-074) Copy: Supervisor Hall (26)

From Animal Care and Control Department, commenting that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 2003025-068) Copy: Supervisor Hall (27)

From Sunshine Ordinance Task Force, submitting support for Senate Constitutional Amendment No. 1-A that provides all residents in the State of California with greater opportunities to access public meetings and records that San Franciscans currently enjoy. (28)

From Small Business Commission, commending the Police Department for its work to maintain safety in San Francisco. (29)

From Angela Alioto, submitting opposition to removing paid ballot arguments from the Voter's

Information Pamphlet. Copy: Each Supervisor (30)

From Pacific Gas and Electric, submitting Pacific Gas and Electric's 2002 franchise fee documents.
Copy: Controller (31)

From Law Library, commenting that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 2003025-065) Copy: Supervisor Hall (32)

From Department of Aging and Adult Services, regarding programs at the Cadillac Hotel, and the current uses of funding appropriated for this purpose. (Reference No. 20030304-001) Copy: Supervisor Daly (33)

From Mary Burke, urging the Board to reconsider the closing of the OMI Mental Health Clinic. (34)

From Gary Chin, commenting that the District Attorney is losing credibility. Copy: Each Supervisor (35)

From concerned citizen, urging the Board to investigate the application process for the City contract of the San Francisco Day Labor Program. (36)

From concerned citizens, urging the Board to continue funding the "Elementary Arts Program" for public schools in San Francisco. (37)

From concerned citizens, submitting opposition to any cuts in senior programs in San Francisco. (38)

From concerned citizens, submitting opposition to any fines imposed on any of the anti-war protestors. (39)

From concerned citizens, submitting support for proposal that any and all demonstrators get permits and posts a bond for the use of our city streets for their activities. Copy: Each Supervisor (40)

From concerned citizens, commenting on the tearing down of the Fell Street off-ramp. (41)

From concerned citizens, commenting that the San Francisco Police should be allowed to wear patriotic colors or flag armbands if they wish to do so. Copy: Each Supervisor (42)

From Steve & Carol Cursi, urging the Board not to cut funding for the Italian program and its director at Lowell High School. (43)

From John Essig, regarding the lack of accommodations for disability access at the Café Du Nord.
Copy: Each Supervisor, Mayor's Office on Disability. (44)

From concerned citizens, submitting support for the implementation of Proposition N, Care Not Cash in accordance with the wishes of San Francisco voters in a timely and conscientious manner. File 030136, Copy: Each Supervisor (45)

From Ana & Joe Sanchez, commenting on the alleged behavior of the Director of the Day Labor Program (Renee Saucedo) towards two workers. (46)

From Junko Shimizu, commenting on his experience with San Francisco Police while marching in an anti-war rally. (47)

From Adult Probation Department, commenting that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 2003025-034) Copy: Supervisor Hall (48)

From California Public Utilities Commission, submitting notice of a PG&E workshop regarding municipal surcharges for electricity sales by DWR on April 15, 2003 at 10:00 a.m., at 505 Van Ness Avenue, Training Room. (49)

From John Jenkel, submitting newsletter entitled "Abuse News" #662. (50)

From San Francisco Tomorrow, regarding who sets the agenda for San Francisco's Public Library.
Copy: Each Supervisor (51)

From JB Mixon, commenting on his recent visit to San Francisco. (52)

From concerned citizens, requesting the Board of Supervisors hold new hearings on animal testing at UCSF and do everything in the Board's power to compel UCSF to end Setphen Lisberger's cruel and outdated experiments. (53)

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

APR 17 2003

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 22, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

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- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma

1. 030396 [Accept/Expend Federal Funding - McKinney 2002 Continuum of Care Homeless Assistance Programs]
Supervisor Dufty
Resolution retroactively authorizing the Department of Human Services to accept and expend a grant in the amount of \$1,916,317 from the U.S. Department of Housing and Urban Development for the McKinney Continuum of Care Homeless Assistance Programs.
(Human Services Department)
- Question: Shall this Resolution be ADOPTED?
2. 030397 [Accept-Expend State Grant - Supportive Housing Initiative Act]
Supervisors Newsom, Dufty
Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of \$708,761 from the California Department Of Mental Health Supportive Housing Initiative Act for supportive housing targeting adults with disabilities.
(Human Services Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030471 [AIDS surveillance training materials for international sites]**Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$93,523 with The Regents of the University of California San Francisco (UCSF), the primary contractor to participate in developing materials, field testing, and providing technical assistance in AIDS surveillance training at various international sites, for the period of January 1, 2003, to September 29, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 030501 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**Supervisors Dufty, Ma**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend supplemental grant funding in the amount of \$10,000 for Federal FY 1999 and a grant amount of \$14,655 for Federal FY 2002 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department, Police Department and the Office of the District Attorney with armor vests.

(Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

5. 020592 [Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]**Supervisors Peskin, McGoldrick, Daly, Maxwell, Dufty**

Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 314.5, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees, and require that funds from the Child Care Capital Fund and the Downtown Park Fund be used to fund nexus studies for the Downtown Park Fee and the Child Care Fee; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

3/18/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title and requested this item be scheduled for consideration at the March 2, 2003 meeting.

4/15/2003, AMENDED. Amended on page 5, line 23 by deleting "housing".

4/15/2003, PASSED ON FIRST READING AS AMENDED. Supervisors McGoldrick, Daly and Maxwell requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

6. 030480 [Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for \$37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

4/15/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 030479 [Settlement of Lawsuit - CNET Networks, Inc.]
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for \$137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

4/15/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 030478 [Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]
Supervisor Gonzalez
Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for \$153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.
(Public Benefit Recipient.)

4/15/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 030481 [Authorization to make a binding settlement offer - Federated Western Properties, Inc.]
Supervisor Gonzalez
Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed \$3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.
(Public Benefit Recipient.)

4/15/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

10. 030392 **[Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]**
Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 030393 **[Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for \$250,000 as follows: \$87,500 in back overtime wages, \$87,500 in liquidated damages and \$75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 030170 **[Appointment]**
Resolution appointing Jennifer Friedenbach, Gail Gilman, Barry Hermanson, Leon Winston and Marcia Argyris terms ending May 15, 2004 to the Local Homeless Coordinating Board. Residency requirement waived.
Jennifer Friedenbach, succeeding herself, term expired, seat 4, must represent area of advocacy, for a two year term ending 5/15/04.
Gail Gilman, succeeding herself, term expired, seat 6, must be a service provider, for a two year term ending 5/15/04.
Barry Hermanson, succeeding himself, term expired, seat 8, must represent the business community, for a two year term ending 5/15/04.
Leon Winston, succeeding Laura Ware, term expired, seat 9, must represent education and/or training, for a two year term ending 5/15/04.
Marcia Argyris, succeeding herself, term expired, seat 10, must represent a foundation, for a two year term ending 5/15/04. (residency requirement waived).

Question: Shall this Resolution be ADOPTED?

13. 030378 [Appointment]
Resolution appointing Helen Kwan, term ending date to be determined to the Pedestrian Safety Advisory Committee.
Helen Kwan, new position, seat 5, must be a representative from a senior or disability organization, for a two-year term (ending date to be determined).

Question: Shall this Resolution be ADOPTED?

14. 030412 [Appointment]
Resolution appointing Steve Chester and Stuart Berger, terms ending May 15, 2003 to the Local Homeless Coordinating Board.
Steve Chester, succeeding Diane Burke, resigned, seat 1, must represent homeless or formerly homeless, for the unexpired portion of a two year term ending May 15, 2003.
Stuart Berger, succeeding Joyce Miller, resigned, seat 3, must represent area of advocacy, for the unexpired portion of a two year term ending May 15, 2003.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

15. 030373 [Affirming adoption of the negative declaration for 40-50 Lansing Street]
Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)
- 3/25/2003, CONTINUED. Continued to April 8, 2003
4/8/2003, CONTINUED. Continued to April 22, 2003
Question: Shall this Motion be ADOPTED?
16. 030374 [Reversing adoption of the negative declaration for 40-50 Lansing Street]
Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)
- 3/25/2003, CONTINUED. Continued to April 8, 2003
4/8/2003, CONTINUED. Continued to April 22, 2003
Question: Shall this Motion be ADOPTED?
17. 030375 [Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street.
(Clerk of the Board)
- 3/25/2003, CONTINUED. Continued to April 8, 2003
4/8/2003, CONTINUED. Continued to April 22, 2003
Question: Shall this Motion be ADOPTED?

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

18. 030416 **[Funding for lease financing of two asphalt storage silos]**

Supervisors Peskin, Gonzalez, Daly, Maxwell

Ordinance appropriating \$2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing.
(Mayor)

(Fiscal impact.)

4/15/2003, PASSED ON FIRST READING. Supervisor Peskin requested to be added as sponsor.
Supervisors Gonzalez, Daly and Maxwell requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

19. 021854 **[Construction Site Sign Requirements]**

Supervisors Peskin, Gonzalez

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.

3/25/2003, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

4/15/2003, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

20. 030207 **[2161 Sutter Street - Zoning Map Change]**

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1.
(Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

3/25/2003, REFERRED to Land Use Committee.

4/15/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 030274 **[Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]**
Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station.
(Parking and Traffic Department)
(No Public Benefit Recipient.)

4/15/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of City and School District Select Committee

Present: Supervisors Maxwell, Ammiano, Ma,

Present: Commissioners Cruz, Kelly, Sanchez

22. 030354 **[Public Education Special Fund]**
Supervisors Daly, Ma, Dufty
Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

4/15/2003, CONTINUED. Continued to April 22, 2003

Supervisor Dufty requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma

23. 030420 **[Specifying that revenues from littering citations issued by DPW environmental control officers go to DPW]**
Supervisors McGoldrick, Dufty, Maxwell, Ma, Peskin, Newsom
Ordinance amending Section 38 of the Police Code Article to specify that revenues from citations issued by DPW environmental control officers for littering shall be allocated to DPW and used to fund litter enforcement and abatement.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 030482 [Administrative Penalties for Littering and Specified Nuisance Violations]
Supervisors McGoldrick, Peskin, Maxwell, Duffy
Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 600 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.5 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma

25. 030377 [Liquor License Transfer, 2550 Van Ness Avenue]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 515 Broadway Street to 2550 Van Ness Avenue, Unit #2 (District 6), to Frank S. Montarello, Jr. for Stellar One, Inc. dba "Broadway Joes" will serve the public convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

26. 022033 [Grant Applications]
Supervisors Sandoval, Gonzalez, Peskin, McGoldrick
Ordinance amending San Francisco Administrative Code Section 10.170 to provide that all grant applications (except for grants originating from the Transportation Authority) submitted by the City requesting funding for one hundred thousand dollars or more shall be subject to approval by the Board of Supervisors by resolution, except for grant funds approved by the Mayor and the Board of Supervisors in the annual budget.

2/4/2003, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 030003 [Sale of 1345 Turk/1140 Fillmore to Redevelopment Agency]
Supervisor Gonzalez
Resolution approving the sale of real property located at 1345 Turk and 1140 Fillmore Streets to the San Francisco Redevelopment Agency for \$900,000; approving the interdepartmental transfer of jurisdiction over 1345 Turk from the Municipal Transportation Agency to the City's Arts Commission; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the San Francisco Redevelopment Agency for the sale of such real property for the development of affordable housing and other public beneficial uses.
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

28. 030404 [Modification to the Professional Service Agreement for North & South International Parking Garages, Concourse H/Airport BART Station and Rental Car Facility]
Resolution retroactively approving Modification No. 3, the Close-out Modification, of Professional Services Agreement for Contract No. 5600AE - North & South Int'l Parking Garages, Concourse H/Airport BART Station and Rental Car Facility with ED2 Int'l/MBT Architecture Joint Venture Architects in the amount of \$1,236,926, for a new total contract amount of \$23,469,626.
(Airport Commission)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

From the Rules Committee "Without Recommendation"

Present: Supervisors Dufy, Gonzalez

29. 030189 [Confirming the appointment of Ben Hom to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006.
(Mayor)
(Supervisor Hall excused from voting.)

3/18/2003, CONTINUED. Continued to March 25, 2003

3/18/2003, CONTINUED.

3/25/2003, RE-REFERRED to Rules Committee. Supervisor Hall previously excused from voting on this matter.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

Question: Shall this Resolution be ADOPTED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

32. 030635 [Legislative Analyst Request]
Supervisor Hall

Motion requesting the Legislative Analyst to compare and contrast the laws, regulations, and policies of Seattle and New York City for "facilitating" mass protests.

Question: Shall this Motion be ADOPTED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 39

33. 030080 [People's Earth Day in San Francisco]
Supervisors Maxwell, Dufty

Resolution proclaiming Saturday, April 26, 2003 as "People's Earth Day Fair" Day in the City and County of San Francisco.

4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 030164 [Proclaim May as American Lung Association's Clean Air Month]
Supervisors Maxwell, Dufty

Resolution proclaiming May 2003 as American Lung Association's Clean Air Month in the City and County of San Francisco.

4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 030236 [Commend Tanya Twyman]
Supervisor Maxwell

Resolution commending Tanya Twyman for her commitment and dedication to childcare services throughout the City.

4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 030276 [Commend Michael Tilson Thomas and the San Francisco Symphony]
Supervisors Daly, Dufty
Resolution commending Michael Tilson Thomas and the San Francisco Symphony for their role as Cultural Ambassadors from the City of San Francisco representing the breadth and depth of the vitality of arts and cultural activities in the City.
- 4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030290 [Commend Byron Yoanidis]
Supervisor Daly
Resolution commending Byron Yoanidis of San Francisco, for his inspirational effort and his deep commitment to help those who face homelessness and mental illness.
- 4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030346 [Commend Deputy City Attorney Randy Edward Riddle]
Supervisors Ammiano, Dufty
Resolution commending Randy Edward Riddle for 15 years of exemplary public service to San Francisco as a Deputy City Attorney in the Government Law Division of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the California Secretary of State.
- 4/15/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 030595 [Final Map for a 23 Unit Mixed-Use Condominium Project]
Motion approving Final Map of 320 Alabama Street, a Mixed-Use Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3967, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No public benefit recipient; DPW Order No. 174,068; District 6.)
- 4/11/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?
- Questions on the For Adoption Without Committee Reference
Agenda:_____*

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 8, 2003 through April 14, 2003, for reference by President to appropriate committee on April 22, 2003.

030596 [Settlement of Lawsuit]

Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$40,000.

(City Attorney)

(Public Benefit Recipient.)

4/11/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 8, 2003 through April 14, 2003, for reference by President to appropriate committee on April 22, 2003.

030598 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Company as subrogee of Yuk Wah Shung against San Francisco; claim was filed on January 21, 2003.

(City Attorney)

(Public Benefit Recipient.)

4/14/2003, RECEIVED AND ASSIGNED to Rules Committee.

030650 [Petitions and Communications]

Petitions and Communications received from April 8, 2003 through April 14, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 22, 2003.

From CCSF Employees' Retirement System, submitting cost and effect report relating to proposed amendment of Charter Section A8.500 regarding retirement benefits for miscellaneous safety employees. File 02-0938, Copy: Supervisors Ammiano, Gonzalez, Hall, Dufty (1)

From Police Department, regarding counterfeit currency incidents. (Reference No. 20030225-002) Copy: Supervisor Sandoval (2)

From Department of Consumer Assurance, submitting notice that the Department did incur minimum costs of \$145.00 (on March 20, 2003) as a result of the anti-war protests that took place in March. (Reference No. 20030325-067) Copy: Supervisor Hall (3)

From Department of Consumer Assurance, submitting comments and observations regarding best practices for managing costs to the City, e.g. SF Police Department officers. (Reference Nos. 20030325-132 and 20030325-197) Copy: Supervisor McGoldrick (4)

From Department of Human Services, regarding implementation of Proposition N, Care Not Cash. (Reference No. 20030318-011) Copy: Supervisor McGoldrick (5)

From ComcastCable Communications, Inc., regarding programming adjustments to the Hispanic programming services currently offered by Comcast Cable Communication, Inc. (6)

From Budget Analyst, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-075) Copy: Supervisor Hall (7)

From Budget Analyst, concerning analysis of the City's risk management efforts. (Reference Nos. 20030325-205 and 20030325-140) Copy: Supervisor McGoldrick (8)

From Department of Building Inspection, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-016) Copy: Supervisor Hall (9)

From Department of Administrative Services, regarding funding to not-for-profit service providers. (Reference No. 20021216-071) Copy: Supervisor Hall (10)

From Department of Administrative Services, concerning review and report on the status of the City's energy efficiency efforts. (Reference No. 20030127-006) Copy: Supervisor Ma (11)

From Department of Parking and Traffic, regarding pedestrian and vehicular safety improvements on or around Jordan Park, including the feasibility of installing speed humps. (Reference No. 20030113-016) Copy: Supervisor Newsom (12)

From Arts Commission, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-037) Copy: Supervisor Hall (13)

From Department of Parking and Traffic, submitting quarterly tow refunds report for the year 2002, pursuant to Administrative Code Section 10C.12. (14)

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

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From Department of Parking and Traffic, submitting quarterly tow refunds report for the year 2002, pursuant to Administrative Code Section 10C.12. (14)

From Academy of Sciences, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-064) Copy: Supervisor Hall (15)

From Academy of Sciences, regarding procedures governing risk management for departments. (Reference No. 20030325) Copy: Supervisor McGoldrick (16)

From Melissa M. Szeto, submitting her resignation as Executive Director of the Chinese Historical Society of America, effective April 30, 2003. Copy: Each Supervisor (17)

From Department of Public Health, submitting request for waiver of the provisions of Chapter 12B and 12C of the Administrative Code for Armored Transport of California for the procurement of armored pickup and delivery services. (18)

From Youth Commission, submitting opposition to the war in Iraq. (19)

From SF International Airport, submitting the Airport's and Airfield Development Bureau formal response to the questions posed by members of the Budget Analyst's audit team. (20)

From Michael Ho, submitting opposition to proposed increase in parking fees. Copy: Each Supervisor (21)

From Chief Medical Examiner, regarding procedures governing risk management for departments. (Reference Nos. 20030325-178 and 20030325-113) Copy: Supervisor McGoldrick (22)

From Chief Medical Examiner, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-048) Copy: Supervisor Hall (23)

From SF International Airport, submitting revised request for release of reserved funds in the amount of \$5 million dollars for the Airfield Development Bureau to meet the financial obligations associated with the planned work for the remaining months of the fiscal year. Copy: Supervisor Gonzalez, Budget Analyst Harvey Rose (24)

From Office of the Controller, submitting financial reports for the month of March 2003 showing fiscal year 2002-03 status and year-end figures for the prior year (2001-02). Copy: Each Supervisor (25)

From Arts Commission, submitting list of all property occupied or otherwise under the jurisdiction of the San Francisco Arts Commission. Copy: Supervisors Gonzalez, Daly (26)

From Department of Parking and Traffic, regarding expanding the use of the currently limited yellow-striped pedestrian crosswalks to senior centers in San Francisco. (Reference No. 20021216) Copy: Supervisor Ma (27)

From Office of the Controller, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-033) Copy: Supervisor Hall (28)

From Department of the Environment, submitting list of Sole Source Contracts for fiscal year 2001-02. (29)

From Office of the Legislative Analyst, submitting report that compares and contrast San Jose

"Blight Ordinance" to San Francisco's Planning Code; including enforcement procedures and enforcement capabilities of the two cities. Copy: Each Supervisor (30)

From Department of Elections, submitting Ballot Proposition Guide (1961 through 2002), which includes a list of historical measures in chronological order, by letter and by keyword index. Copy: Each Supervisor (31)

From Office of the Sheriff, regarding risk management practices in the Sheriff's Department designed to identify risks associated with departmental functions. (Reference No. 20030325-143) Copy: Supervisor McGoldrick (32)

From Office of the Sheriff, submitting the third quarterly expenditure report for fiscal year ending June 30, 2003. Copy: Each Supervisor (33)

From Office of the Treasurer & Tax Collector, submitting the third quarterly report for the Bureau of Delinquency Revenue for fiscal year ending June 30, 2003. (34)

From Department of Public Health, regarding refuse collection in San Francisco. (Reference No. 20030325-004) Copy: Supervisors Duffy, Ammiano (35)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (36)

From Department of Public Works, submitting notice that appellants' signature with respect to the 3400 Block of 19th Street represent owners of less than 20% of the area involved and are therefore insufficient for appeal. (37)

From Urban Counties Caucus, submitting Legislative Update for April 2003. (38)

From Department of Parking and Traffic, requesting input be solicited from all City Departments as to the limitations and potential impact that proposed legislation that requires City Departments to seek approval by the Board of Supervisors prior to submission of grant applications for outside funding sources. File 022033, Finance and Audits Committee (39)

From SF Drug Abuse Advisory Board and City-Wide Alcoholism Advisory Board, submitting report suggesting suppression of informed consent to prospective clients of City and County of San Francisco addiction treatment programs. (40)

From State Board of Equalization, submitting notice that a public hearing regarding proposed amendment to "Change in Ownership Legal Entities" will be Held in Sacramento on May 28, 2003. (41)

From OMI District Advisory Council, submitting petition opposing cuts in funding and services for youth and elderly programs in San Francisco. (42)

From Richard Robinson, regarding the helpful Clerk of the Board staff in the front office. (43)

From Department of Human Resources, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-019) Copy: Supervisor Hall (44)

From Residential Rent Stabilization and Arbitration Board, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-046) Copy: Supervisor Hall (45)

From Residential Rent Stabilization and Arbitration Board, submitting notice that the Rent Board

does not have a risk department. The Director essentially performs this function that applies to personnel issues, equipment and other ancillary projects. The Rent Board does engage the Chief Administrator's Risk Management group for purpose of insuring computer equipment. (Reference No. 2003-0325-111 & 176) Copy: Supervisor McGoldrick (46)

From Department of Public Health, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-069) Copy: Supervisor Hall (47)

From concerned citizen, urging the Board of Supervisors to adopt a "Clean and Sober" Ordinance in San Francisco. (48)

From Corpus Christi School, submitting support for establishing a passenger pick up zone during school hours on Alemany Blvd at Santa Rosa Avenue for student pick up at Corpus Christi School and placement of lower speed limit signs for school zones on the same block of the school on Alemany Blvd. (49)

From Civil Service Commission, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-028) Copy: Supervisor Hall (50)

From War Memorial and Performing Arts Center, submitting notice that the Department incurred the following costs as a result of the previous week's anti-war protest; employee overtime \$157.53, and loss of revenue \$3,200. (Reference No. 20030325-044) Copy: Supervisor Hall (51)

From Emergency Communications Department, submitting report for the Emergency Communications Department on costs incurred as a result of the March 2003 war protest. (Reference No. 20030325-011) Copy: Supervisor Hall (52)

From concerned citizens, submitting opposition to any additional funding for the SF Airport runway expansion projects. (53)

From Martin McGann, regarding his experience with driving and finding parking in San Francisco. Copy: Each Supervisor (54)

From Marias Quintanilla, submitting opposition to Ben Hom's nomination to the Port Commission. File 030189 (55)

From concerned citizens, submitting opposition to proposal to amend the Rent Ordinance. File 021096 (56)

From concerned citizens, submitting opposition to any funding cuts in the Recreation and Park Department's programs and facilities. (57)

From concerned citizens, submitting opposition to any funding cuts in the "Elementary Arts Grant" to public schools in San Francisco. (58)

From San Francisco Bay View, submitting news article entitled "Bad cops must be stopped" dated January 8, 2003. (59)

From Gabriele Strasser, regarding alleged discriminatory treatment of some Muslim students by their teachers in San Francisco public schools. Copy: Each Supervisor (60)

From concerned citizen, commenting that COMCAST Cable Company is using deceptive advertising tactics on its website to lure new customers into paying for its premium services. (61)

From Debra Alderman, submitting opposition to the anti-war protestors actively hindering any delivery and shipment of supplies, food and materials that are meant to help our American troops and Iraqis. (62)

From Asian Art Museum, submitting notice that the Department did not incur any costs as a result of the anti-war protests that took place in March. (Reference No. 20030325-055) Copy: Supervisor Hall (63)

From Norcal Waste Systems, Inc., submitting support for the Precautionary Principle Implementation in San Francisco. (64)

From Doug Tingly, commenting that he is fed up with how the City and County of San Francisco "deals with" the homeless. (65)

From Rod Heisler, suggesting mandatory insulation upgrades be provided by the landlords of rental property for the lifetime of the building. (66)

From Peter Chin, expressing his concern with how the Land Use Committee of April 14, 2003 was conducted. Copy: Supervisors McGoldrick, Gonzalez, Ammiano (67)

From various signators, submitting Form 700 Statement of Economic Interests: (68)

Brad Benson
Mike Farrah
Matt Gonzalez
Bill Barnes

APPOINTMENTS BY THE MAYOR

Golden Gate Park Concourse Authority Commission
Douglas Moran
Nancy Conner
Stephanie MacColl

Human Services Commission
George Yamasaki Jr.
Anita Martinez

Commission on Aging and Adult Services
Carolyn Devine

War Memorial Board of Trustees
Evelyn Haas
Thomas Horn
Chrysanthi Leones

Juvenile Probation Commission
Damone Hale

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

April 17, 2003

Rule 5.41 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Topic	File No.	Committee	Source	Legislation Introduced	30 Day Rule Expires
Enact Environment Code and Precautionary Principle Policy	030422	Land Use Committee	Mayor, Supervisor Newsom	3/18/03	4/17/03
Amend Police Code to abolish Taxi Commission and transfer powers to Municipal Transportation Authority	030472	City Services Committee	Supervisor Newsom	3/18/03	4/17/03
Charter Amendment (First Draft) Creating Small Business Commission	030426	Rules Committee	Supervisor Daly	3/18/03	4/17/03
Mission Bay Park P8 Bank Stabilization west end of the China Basin	030510	Land Use Committee	Public Works Department	3/25/03	4/24/03
Interim Controls Regulating Certain Industrially-Zoned Properties on Third Street Between Islais Creek and Paul Street	030520	Land Use Committee	Supervisor Maxwell	4/1/03	5/1/03
Charter Amendment (First Draft) Amend 2.113 Supervisors must hold a hearing 30 days before the deadline for submission of Ordinances and Declaration of Policy	030632	Rules Committee	Supervisor Newsom	4/15/03	5/15/03

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.



APR 24 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 29, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday

1:00 PM

2nd Monday, bi-monthly

Thursday

9:30 AM

Wednesday

12:30 PM

Monday

1:00 p.m.

Wednesday

9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 1, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the City Services Committee

Present: Supervisors Dufty, Newsom

1. 030504 **[Accept-Expend Federal Grant - Project Sentry]
Supervisors Dufty, Ma, Newsom**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a project entitled "Project Sentry", and waiving indirect costs due to funding constraints.
(District Attorney)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 030507 [AIDS Prevention Studies in Africa]**Supervisors Dufty, Ma, Newsom**

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$11,652 to participate in AIDS prevention studies in Africa, for the period of January 1, 2003 to December 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030512 [Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**Supervisors Dufty, Ma, Newsom**

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$300,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) that targets Vietnamese and Central American newcomer girls between the ages of 0 to 18 in the Tenderloin and Mission neighborhoods.

(Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 030513 [Accept-Expend Federal Grant - Department of Children, Youth and Their Families]**Supervisors Dufty, Ma, Newsom**

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of three hundred and fifty thousand dollars (\$350,000) from the United States Department of Justice, Office of Justice Programs, Violence Against Women Office for Safe Havens: Supervised Visitation and Safe Exchange Program.

(Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 030515 [Accept-Expend State Grant]**Supervisors Dufty, Newsom**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$20,840 from the California State Library for continuing family literacy programming as part of Project Read.

(Public Library)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

6. 030534 [Used Oil Recycling Block Grant, 9th Cycle, Fiscal Year 2003/2004]
Supervisors Dufty, Newsom
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$244,619.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.
(Environment)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

7. 030392 [Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]
Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation.
(City Attorney)
(Public Benefit Recipient.)

4/22/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 030393 [Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for \$250,000 as follows: \$87,500 in back overtime wages, \$87,500 in liquidated damages and \$75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

4/22/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 030291 [Appointment]
Resolution appointing Donna Crowder, term ending September 1, 2003, to the Assessment Appeals Board 2.
Donna Crowder, succeeding Adrienne Lacau, resigned, seat 6, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. ALTERNATE /HEARING OFFICER for the unexpired portion of a three year term ending September 1, 2003.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Dufty

10. 022055 **[Appointment]**
Resolution appointing Matthew Juhl-Darlington, term ending September 6, 2005 to the Skateboarding Task Force.
Matthew Juhl-Darlington, new position, seat 6, must be a voting representative with expertise in real estate or legal fields for the unexpired portion of a three-year term ending September 6, 2005.

Question: Shall this Resolution be ADOPTED?

11. 030474 **[Appointment]**
Resolution appointing Pawan Mehra and Marjorie Ann Williams, term ending April 27, 2004 to the Sunshine Ordinance Task Force 2000.
Pawan Mehra, succeeding Marie Harrison, term expired, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic minority-owned news organization, for a two year term ending April 27, 2004.
Marjorie Ann Williams, succeeding Marjorie Ann Williams, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two year term ending April 27, 2004.

Question: Shall this Resolution be ADOPTED?

12. 030557 **[Appointment]**
Resolution appointing Andrew Thornley, Dianna Waggoner, Michael Rauner, Jerry Ervin, Cynthia Powell, Rufus Davis, and Casey Allen, term expiration date to be determined, to the Bicycle Advisory Committee.
Andrew Thornley, new position, seat 1, must be a nominee of District 1 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Dianna Waggoner, new position, seat 3, must be a nominee of District 3 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Michael Rauner, new position, seat 5, must be a nominee of District 5 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Jerry Ervin, new position, seat 8, must be a nominee of District 8 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Cynthia Powell, new position, seat 9, must be a nominee of District 9 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Rufus Davis, new position, seat 10, must be a nominee of District 10 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.
Casey Allen; new position, seat 11, must be a nominee of District 11 Supervisor. The member shall serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration. Term expiration date to be determined.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Duffy, Gonzalez

13. 030558

[Appointment]

Resolution appointing Dr. Raymond Weisberg, Dr. Cheryl Polk and Dr. Lucy Crain term ending April 29, 2007 to the Children and Families Trust Fund and Commission.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Hall, Duffy

14. 030559

[Appointment]

Resolution appointing Brian Browne and David Sutter, for a term to be determined, to the Public Utilities Revenue Bond Oversight Committee.

Brian Browne, new position, seat 1, shall have expertise, skills and experience in economics, the environment, construction or project management, for a term to be determined.

David Sutter, new position, seat 2, shall have expertise, skills and experience in economics, the environment, construction or project management, for a term to be determined.

Question: Shall this Resolution be ADOPTED?

15. 030561

[Appointment]

Resolution appointing Karin Jensen (residency requirement waived), term ending August 20, 2005 and Christine Luong, term ending August 20, 2003 to the Lead Poisoning Prevention Citizens Advisory Committee.

Karin Jensen (residency requirement waived), succeeding James Threat, term expired, seat 8, must represent the Recreation and Park Department, for the unexpired portion of a four-year term ending August 20, 2005.

Christine Luong, succeeding Jerry Rogers, resigned, seat 21, must have expertise in non-profit clinics, for the unexpired portion of a four-year term ending August 20, 2003.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma

16. 030482 [Administrative Penalties for Littering and Specified Nuisance Violations]
Supervisors McGoldrick, Peskin, Maxwell, Dufty, Daly, Newsom
Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 600 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.5 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.

4/22/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/22/2003, PASSED ON FIRST READING AS AMENDED. Supervisors Daly and Newsom requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City and School District Select Committee

Present: Supervisors Maxwell, Ammiano, Ma

Present: Commissioners Cruz, Kelly, Sanchez

17. 030354 [Public Education Special Fund]
Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."

4/15/2003, CONTINUED. Continued to April 22, 2003

Supervisor Dufty requested to be added as a co-sponsor.

4/22/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Amendment of the whole bearing same title.

4/22/2003, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

18. 021642 [Zoning Map amendment extending the existing RM-1 district in Assessor's Block 6501 to include Lot 042]
Supervisor Dufty
Ordinance amending Zoning Map Sheet 7 of the City and County of San Francisco to extend the existing RM-1 district in Assessor's Block 6501 to include Lot 042; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan and finding that the Ordinance is exempt/excluded from environmental review.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Ammiano

19. 030221 [Residential Rentals]
Supervisor Peskin
Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," by amending Section 49.2 to provide that the annual landlord interest payments on security deposits shall be calculated at the interest rate in effect when an annual interest payment is due, and that any required pro rata interest payment shall be calculated at the interest rate in effect when that pro rata payment is due.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 030325 [Residential Rent Ordinance: conform to State Ellis Act amendments]
Supervisor Peskin
Ordinance (1) conforming the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) to State law amendments to the Ellis Act (California Government Code Sections 7060 et seq.), by amending Section 37.9A to provide that, for new tenancies established after December 31, 2002, the same rent control restrictions that were in effect for the unit at the time a notice of intent to withdraw the unit from the rental or leased housing market was filed with the Rent Board remain in effect for any and all new or subsequent tenancies established during the five year period after filing the notice of intent, and for the five year period following actual withdrawal of the unit from the rental or leased housing market; (2) amending Section 37.9A to provide that half of the required relocation payment due to low-income, elderly or disabled tenants is due within fifteen (15) days of the landlord's receipt of the tenant's notice of entitlement, and the remaining half is due when the tenant vacates the unit; (3) amending Section 37.9A to require that an owner notify the Rent Board if the owner disputes a tenant's claim of entitlement to one-year notice due to being elderly or disabled; and, (4) conforming numbering.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Maxwell, Ammiano

21. 030495 [Prohibiting Motor Vehicle on Brant Alley]

Supervisor Peskin

Resolution prohibiting motor vehicle traffic on Brant Alley.

(4/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

4/1/2003, REFERRED to Land Use Committee. Supervisor Hall requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the proposed Charter amendment appropriately may be continued at least one week.)

22. 020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]

Supervisors Ammiano, Gonzalez, Dufty, Hall

Charter amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

7/15/2002, CONTINUED. Continued to July 22, 2002.

7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/2002, RE-REFERRED to Rules and Audits Committee.

3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.

Question: Shall this Charter Amendment be SUBMITTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, April 23, 2003. The Chair intends to request the Committee to send the following items to the Board as a committee report.

23. 030599 [Appointment, Entertainment Commission]
Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term to be determined.
(Mayor)
Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
- Question: Shall this Motion be ADOPTED?
24. 030601 [Appointment, Entertainment Commission]
Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined.
(Mayor)
Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
- Question: Shall this Motion be ADOPTED?
25. 030603 [Appointment, Entertainment Commission]
Motion approving the Mayor's nomination for appointment of Bruce G. Lorin to the Entertainment Commission, term to be determined.
(Mayor)
Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date - 4/1/03.
- Question: Shall this Motion be ADOPTED?

26. 030550 [Appointment, Entertainment Commission]

Motion approving the Mayor's nomination for appointment of Audrey Joseph to the Entertainment Commission, term to be determined.
(Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - 4/1/03.

Question: Shall this Motion be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

29. 030674 [Closed Session - Existing Litigation, City as Plaintiff]
Supervisor Gonzalez

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding the following existing litigation in which the City alleges, in sum, that manufacturers, distributors and dealers of handguns have created a public nuisance and engaged in unfair and unlawful business practices by distributing guns in ways that enable criminals and juveniles to acquire them.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

People of the State of California v. Arcadia Machine & Tool, Inc., et al.
J. C. C. P. No. 4095 (originally S. F. Superior Court No. 303-753 (filed May 25, 1999), pending before the Hon. Vincent P. DiFiglia in San Diego Superior Court.

Question: Shall this Motion be ADOPTED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 through 39

- 30. 030694 [Commend Saint Anthony Foundation]**
Supervisors Daly, Dufty
Resolution commending the Saint Anthony Dining Room for serving their 30 millionth meal on April 30, 2003.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 31. 030695 [Commend Laura Ware]**
Supervisor Daly
Resolution commending Laura Ware for fourteen years of leadership, commitment, and dedicated service to improving the lives of homeless people in San Francisco.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 32. 030696 [Re-creation of Community Land Trust Task Force]**
Supervisor Gonzalez
Resolution re-creating the Community Land Trust Task Force and re-appointing Peter Doty, Marianne Love, Lotus Yee Fong, Ada Chan, Lisa Feldstein, Rene Cazenave, Marc Solomon, James Tracy, Rick Lewis, Ash Kumar Gujral, Philip Williams, and Mark Wilson, for the purpose of adopting a draft report, reporting back to the Board and sunset its operations within two months of the adoption of this resolution.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 33. 030697 [Full Citizenship for members of the Armed Forces]**
Supervisors Hall, Dufty
Resolution urging the President of the United States of America to take actions necessary to guarantee the awarding of full American citizenship to every man and woman serving in the United States Armed Forces in the War in Iraq or upon their favorable discharge from the Armed Forces.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 34. 030698 [San Francisco Medical Society]**
Supervisors Hall, Dufty
Resolution commending the San Francisco Medical Society for its 135 years as a professional association representing physicians in the City and County of San Francisco.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

35. 030699 [Asian Pacific American Heritage Month]
Supervisors Newsom, Duffy, Ma
Resolution declaring May 2003 as "Asian Pacific American Heritage Month" in the City and County of San Francisco.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 030700 [Commend Department of the Environment]
Supervisor Sandoval
Resolution commending the Department of the Environment for their continuing support of A Living Library Project.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030701 [Commend Education Not Incarceration]
Supervisor Sandoval
Resolution commending the Education Not Incarceration coalition for holding a statewide rally in Sacramento on May 8, 2003 to protest Governor Gray Davis' decision to cut education spending while increasing prison spending.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030702 [Assembly Bill 1006]
Supervisor Sandoval
Resolution urging the California State Legislature to pass AB 1006: Healthy Schools Bill of 2003 to prohibit the use of the most highly toxic pesticides on school property.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 030673 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Duffy
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 4/22/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 15, 2003 through April 22, 2003, for reference by President to appropriate committee on April 29, 2003.

030034 [Campaign Finance Reform Amendments of 2003]
Supervisor Gonzalez

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarify that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.126 to extend the time period city contractors are prohibited from making contributions to public officials who approve their contracts; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to \$5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing, amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-rata is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to \$5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections may decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.
(No Public Benefit Recipient.)

1/27/2003, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/26/2003.

2/7/2003, TRANSFERRED to Rules Committee. New committee structure 2/17/03.

4/17/2003, ASSIGNED to Rules Committee.

4/17/2003, SUBSTITUTED. Ethics Commission submitted a substitute ordinance bearing same title.

030643 [Street Vacation for Metro East Project]

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance.

(Real Estate Department)

(No Public Benefit Recipient.)

4/16/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030652 [Amendments to the Municipal Elections Code]

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Sections 830 and 930 to: Conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language.

(Elections Department)

4/15/2003, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2003.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 15, 2003 through April 22, 2003, for reference by President to appropriate committee on April 29, 2003.

030345 [Acceptance of Gift]

Resolution accepting a gift of \$55,000 from the Market Street Railway and authorizing said funds to be expended for the purchase of Historic Streetcar #162 from the Orange Empire Railway Museum. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

4/21/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 030371 **[Agreement to Sell approximately 22,000 sq. ft. of unimproved real property located at Beale and Bryant Streets and to Lease Piers 30-32 to San Francisco Cruise Terminal, LLC]**
Resolution approving and authorizing an Agreement with San Francisco Cruise Terminal, LLC for the Sale of approximately 22,000 square feet of real property located at the corner of Beale and Bryant Streets on Seawall Lot 330; approving and authorizing a 66-year Lease with San Francisco Cruise Terminal, LLC for Piers 30-32; adopting findings that the conveyance is consistent with the City's General Plan and eight Priority Policies of City Planning Code Section 101.1; authorizing expenditure of proceeds received under the Sale Agreement towards costs of the Brannan Street Wharf and Piers 30-32 Cruise Terminal Project; and authorizing the Port's Executive Director and the City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.
(Port)
(Public Benefit Recipient; companion measure to File 030379.)

4/17/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 030379 **[CEQA Findings for Cruise Terminal Mixed-Use Project]**
Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, including a statement of overriding considerations, in connection with the proposed mixed-use Cruise Terminal Project, located on Pier 30-32, a condominium tower on a portion of Seawall Lot 330, and a public open space project in the location of Pier 34 and 36, in the Port of San Francisco, City and County of San Francisco.
(Port)

4/17/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 030538 **[Professional Services Contract]**
Resolution approving the Public Utilities Commission's approval of Amendment No. 2 to Contract No. CS-524, Program Management Contract, changing the designated consultant's title, name references, and setting the criteria for the payment of performance fees; and approving the renewal of Contract No. CS-524, the Water Infrastructure Partners (WIP) for a third year; and approving the release of contract Year 3 reserved funds of \$5.188M.
(Public Utilities Commission)
(No Public Benefit Recipient.)

4/15/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

- 030653 **[Mayor's Summer Food Service Program]**
Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$485,794 from the United States Department of Agriculture for Mayor's Summer Food Service Program.
(Mayor)
(No Public Benefit Recipient.)

4/18/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be calendared at the April 30, 2003 meeting.

030708 [Petitions and Communications]

Petitions and Communications received from April 15, 2003 through April 22, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 29, 2003.

From Police Department, regarding the development and implementation of the new crime mapping system. (Reference No. 20030318-002) Copy: Supervisors Newsom, Dufty (1)

From Department of Parking and Traffic, submitting quarterly tow refunds for the third quarter of fiscal year 2002-03. (2)

From Department of Parking and Traffic, submitting concern with pending legislation requiring City Departments seek approval by the Board of Supervisors prior to submission of grant applications for outside funding sources. File 02-2033, Copy: Each Supervisor (3)

From Emergency Communications Department, regarding participation in the Justice Information System (JUSTIS) project. (Reference No. 20030318-007) Copy: Supervisor Newsom (4)

From Police Department, submitting an itemized list of the additional costs incurred as a result of the anti-war protests. (Reference No. 20030325-041) Copy: Supervisor Hall (5)

From San Francisco Superior Court, concerning the risk management policies of San Francisco Superior Court. (Reference No. 20030325 and 20030325-079) Copy: Supervisor McGoldrick (6)

From Municipal Railway, submitting an itemized list of the additional costs Muni incurred as a result of the anti-war protest. (Reference No. 20030325-039) Copy: Supervisor Hall (7)

From Comcast Cable Communications, Inc., submitting information regarding Comcast's rebuild schedule and launch dates in the City and County of San Francisco. (8)

From Airfield Development Bureau, regarding the Wildlands, Inc. option agreement, including appraisals conducted. (9)

From Office of the Controller Audits Division, submitting report concerning the concession audit of Northwest Airlines, Inc. (10)

From Office of the Treasurer and Tax Collector, submitting an itemized list of the additional costs incurred as a result of the anti-war protest that took place the week of March 24, 2003. (Reference No. 20030325-063) Copy: Supervisor Hall (11)

From Clerk of the Board, responding to request for additional information regarding risk management practices by the Office of the Clerk of the Board. (Reference No. 20030325-204) Copy: Supervisor McGoldrick (12)

From Department of Human Services, submitting request for release of reserved funds for single adult shelters in the amount of \$59,000. Copy: Finance and Audits Committee (13)

From Clerk of the Board, submitting quarterly budget report for the third quarter of fiscal year 2002-03, as required by Section 25 of the Annual Appropriation Ordinance. (14)

From State Department of Transportation, concerning the feasibility of installing a fence along the St. Charles overpass leading to the Daly City BART Station for the safety of pedestrians and to prevent items from being thrown onto Highway 280 from the overpass. (Reference No. 20030218-007) Copy: Supervisor Sandoval (15)

From SF Convention Facilities, submitting costs incurred as a result of the anti-war protest that took place the week of March 24, 2003. (Reference No. 20030325-070) Copy: Supervisor Hall (16)

From Port of San Francisco, submitting quarterly budget report for the third quarter of fiscal year 2002-03, as required by Section 25 of the Annual Appropriation Ordinance. Copy: Each Supervisor (17)

From Animal Care and Development Department, concerning the risk management policies of the Animal Care and Development Department. (Reference Nos. 20030325-133 and 20030325-198) Copy: Supervisor McGoldrick (18)

From Planning Commission, submitting notice of public hearing regarding the "Housing Element of the General Plan" on May 1, 2003 at 1:30 p.m. in City Hall, Room 400. (19)

From James Corrigan, regarding whether training classes will be delayed if Aides to the Fire Chief's are returned to the Fire Department firehouses. Copy: Each Supervisor (20)

From the Health Commission, submitting resolution rejecting the Department of Public Health's contingency budget for fiscal year 2003-04; and urging the business community, organized labor and residents, to work with the Mayor and the Board of Supervisors to avoid devastating cuts to the County's health safety net services. Copy: Each Supervisor (21)

From SF Environment, urging the Board to consider alternatives to proposed legislation requiring City Departments to seek approval on all submissions of grant applications for outside funding sources. Copy: Each Supervisor (22)

From Department of Parking and Traffic, regarding changing Guttenberg Street presently a two-way street to a one-way street in the northbound direction. (Reference No. 20021028-005) Copy: Supervisor Sandoval (23)

From Patrick Monette-Shaw, submitting letter entitled "Where's the 10% to 20% you promised to chop from the City's management salaries fat?" dated April 16, 2003. Copy: Each Supervisor (24)

From Kam Leung Li, submitting request for a transfer of an on-sale general liquor license from #1 Embarcadero Center to 682-684 Commercial Street for Chun Mei & Kam Leung Li. (25)

From Civil Service Commission, submitting analysis of the City's risk management efforts and a review of best practices. (Reference Nos. 20030325-093 and 20030325-158) Copy: Supervisor McGoldrick (26)

From Real Estate Division, submitting analysis of the City's risk management efforts and a review of best practices. (Reference Nos. 20030325-122 and 20030325-187) Copy: Supervisor McGoldrick (27)

From Real Estate Division, regarding costs incurred as a result of the anti-war protest that took place the week of March 24, 2003. (Reference No. 20030325-057) Copy: Supervisor McGoldrick (28)

From Daniel Hom, submitting support for appointment of Ben Hom to the Port Commission. File 030189, Copy: Each Supervisor (29)

From Department of Public Health, submitting quarterly budget report for the third quarter of fiscal year 2002-03, as required by Section 25 of the Annual Appropriation Ordinance. (30)

From Comcast Cable Communications, Inc., regarding franchise renewal agreement with the City and County of San Francisco. (31)

From Department of Public Health, submitting quarterly AIDS report. (32)

From concerned citizens, submitting support for Instant Run-Off voting. (33)

From Arts Commission, submitting analysis of the City's risk management efforts and a review of best practices. (Reference No. 20030325-167) Copy: Supervisor McGoldrick (34)

From Department of Parking and Traffic, regarding the possibility of installing STOP signs at the intersection of San Jose Avenue and Niagara Street. (Reference No. 20030318-001) Copy: Supervisor Sandoval (35)

From Human Rights Commission, submitting analysis of the City's risk management efforts and a review of best practices. (Reference No. 20030325-159) Copy: Supervisor McGoldrick (36)

From Planning Department, submitting draft Environmental Impact Report on the 450 Rhode Island Street Project and 17th and Rhode Island Streets Grocery Store Special Use Sub-district. (37)

From Charlie Peters, submitting newsletter entitled "Daily Breeze" dated April 14, 2003. (38)

From Branch Library Improvement Program, submitting quarterly report for the 2000 Branch Library Improvement Bond program. (39)

From James Chaffee, submitting letter entitled "Historical Context of the San Francisco Public Library" dated April 14, 2003. (40)

From California Academy of Sciences, concerning procedures governing risk management for City departments. (Reference No. 20030325-129) Copy: Supervisor McGoldrick (41)

From SF Public Library, concerning procedures governing risk management for City departments. (Reference No. 20030325-172) Copy: Supervisor McGoldrick (42)

From SF Human Services Network, urging the Board to consider alternatives to the proposed legislation requiring City Departments to seek approval on all submissions of grant applications for outside funding sources. Copy: Each Supervisor (43)

From Mayor's Office of Criminal Justice, concerning efforts taken by the Mayor's Office of Criminal Justice to fully incorporate a domestic violence information system into the JUSTIS Project. (Reference No. 20030211-02) Copy: Supervisor Newsom (44)

From Klaus Paesler & Melina Fullbright, submitting second request to the Department of Parking and Traffic to paint a red zone next to their driveway. Copy: Each Supervisor (45)

From Business Week, submitting news analyst regarding mental health coverage for the homeless. (46)

From Human Rights Commission, concerning procedures governing risk management for City departments. (Reference No. 20030325-159) Copy: Supervisor McGoldrick (47)

From Board of Appeals, submitting notice that the Department did not incur any costs as a result of the anti-war protest that took place the week of March 24, 2003. (Reference No. 20030325-070) Copy: Supervisor Hall (48)

From SF Association of Realtors, submitting opposition to proposed amendments to San Francisco's rent control ordinance in its entirety. File 021096, Copy: Each Supervisor (49)

From Priscilla Watts, concerning cable outages and interruptions by Comcast Cable Company because it is in the process of upgrading the entire cable system in San Francisco. (50)

From Immigrant Rights Commission, submitting resolution supporting the Student Adjustment Act (HR 1918) and the Development, Relief and Education for Alien Minor - DREAM Act (S 1291). Copy: Each Supervisor (51)

From State Department of Public Health, submitting response to the budget crisis for the Department of Public Health. (52)

From Martin Lyon, expressing his concern with leaving a phone message on the Board of Supervisors answering machine (playing phone tag). Copy: Each Supervisor (53)

From Department of Human Services, submitting request for waiver of Administrative Code Section 12B and 12C for Moore North America Inc. to continue participating in the Welfare Case Data System (WCDS) forms buying consortium. (54)

From John Jenkel, submitting letter entitled "How to stop unconstitutional wars and gain responsive government" dated April 15, 2003. (55)

From Ines Lewandowitz, urging the Board not to make any budget cuts to the programs offered by the Recreation and Park Department. (56)

From Paula Lynch, submitting opposition to getting rid of the low paid cashiers who work at public swimming pools instead of cutting from the top where the people are better educated and have a better chance of finding a new job. Copy: Each Supervisor (57)

From Department of Human Services, submitting notice that the Department incurred no expense during any of the anti-war protests that occurred in San Francisco during the past month. (Reference No. 20030325-063) Copy: Supervisor Hall (58)

From Dan Diez, submitting support for proposed legislation for stiff fines and penalties to those who block entry to places of our choice. Copy: Each Supervisor (59)

From Pauline Peele, submitting support for AB 1187, creating the Hunters Point Shipyard Development Authority. (60)

From Jack Berry, regarding proposed amendments to the "Rent Control Ordinance". Copy: Each Supervisor (61)

From US Army Corps of Engineers, submitting public notice of hearing regarding a five-year Department of the Army permit to continue the annual installation and removal of the Healdsburg Veterans Memorial Beach, located on the Russian River at 13839 Old Redwood Highway, Healdsburg, Ca. (62)

From Japantown Task Force, Inc., submitting Japantown Festivities Calendar for 2003. (63)

From Martin Lyon, suggesting the name "Recreation and Park Department" be changed to Park and Recreation Department" and from DRP to DPR. Copy: Each Supervisor (64)

From concerned citizens, urging the Board not to make any cuts in funding in senior citizen programs. (65)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

MAY - 1 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 6, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFFY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee
Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee
Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee
Supervisors Duffy, Ma, Newsom

Finance and Audits Committee
Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee
Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee
Supervisors Hall, Duffy, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve April 8, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

1. 030574 [Agreement for Security Information Exchange Network]
Mayor, Supervisor Dufty
Resolution authorizing the Director of Transportation to execute an agreement between the Federal Bureau of Investigations (FBI) and the City and County of San Francisco, enabling the Municipal Transportation Agency to participate in the Federal Government's cooperative known as InfraGard, which allows for the exchange of security information between the Federal Government and major transit agencies.
(Mayor)

Question: Shall this Resolution be ADOPTED?

2. 030575 [State Grant - Mayor's Office of Criminal Justice]
Mayor, Supervisors Duffy, Newsom
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency.
(Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030576 [State Grant - Police Department]
Mayor, Supervisors Duffy, Newsom
Resolution authorizing the Police Department to retroactively accept and expend a grant from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.
(Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

4. 030475 [Settlement of Lawsuit - Sohail Ali, et al.]
Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for \$47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 030500 [Settlement of Lawsuit - Poppie Kouremetis]
Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to \$75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 030539 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for \$175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

**7. 030328 [Settlement of Unlitigated Claim]
Supervisor Hall**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 022056 [Appointment]

Resolution appointing Nino Parker, William Kenneth Cleaveland and Gideon Kramer, terms indefinite, to the Graffiti Advisory Board.

Nino Parker, new position, seat 3, must represent Youth Groups who provide services for juveniles involved in alternative programs for graffiti diversion, for an indefinite term.

William Kenneth Cleaveland, new position, seat 12, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.
Gideon Kramer, new position, seat 14, (non-voting member) must represent neighborhood organizations from varying districts in San Francisco, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

9. **030560** **[Appointment]**
Resolution appointing Cathy Russo, term ending March 31, 2004; Leonard Ke and William Hollabaugh terms ending March 31, 2005, to the Commission on the Aging Advisory Council. Cathy Russo, succeeding Reeva Olson, term expired, seat 6, must be nominee of Supervisor Hall, for the unexpired portion of a two-year term ending March 31, 2004. Leonard Ke, succeeding himself, term expired, seat 9, must be nominee of Supervisor Gerardo Sandoval, for a two-year term ending March 31, 2005. William Hollabaugh, succeeding himself, term expired, seat 11, must be nominee of Supervisor Tom Ammiano, for a two-year term ending March 31, 2005.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

10. **021642** **[Zoning Map amendment extending the existing RM-1 district in Assessor's Block 6501 to include Lot 042]**
Supervisor Dufty
Ordinance amending Zoning Map Sheet 7 of the City and County of San Francisco to extend the existing RM-1 district in Assessor's Block 6501 to include Lot 042; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan and finding that the Ordinance is exempt/excluded from environmental review.

4/29/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Ammiano

11. 030221 [Residential Rentals]
Supervisor Peskin
Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," by amending Section 49.2 to provide that the annual landlord interest payments on security deposits shall be calculated at the interest rate in effect when an annual interest payment is due, and that any required pro rata interest payment shall be calculated at the interest rate in effect when that pro rata payment is due.

4/29/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 030325 [Residential Rent Ordinance: conform to State Ellis Act amendments]
Supervisor Peskin
Ordinance (1) conforming the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) to State law amendments to the Ellis Act (California Government Code Sections 7060 et seq.), by amending Section 37.9A to provide that, for new tenancies established after December 31, 2002, the same rent control restrictions that were in effect for the unit at the time a notice of intent to withdraw the unit from the rental or leased housing market was filed with the Rent Board remain in effect for any and all new or subsequent tenancies established during the five year period after filing the notice of intent, and for the five year period following actual withdrawal of the unit from the rental or leased housing market; (2) amending Section 37.9A to provide that half of the required relocation payment due to low-income, elderly or disabled tenants is due within fifteen (15) days of the landlord's receipt of the tenant's notice of entitlement, and the remaining half is due when the tenant vacates the unit; (3) amending Section 37.9A to require that an owner notify the Rent Board if the owner disputes a tenant's claim of entitlement to one-year notice due to being elderly or disabled; and, (4) conforming numbering.

4/29/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty

13. 020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]
Supervisors Ammiano, Gonzalez, Dufty, Hall
Charter amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.
(Fiscal impact.)

7/15/2002, CONTINUED. Continued to July 22, 2002.
7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
7/22/2002, RE-REFERRED to Rules and Audits Committee.

3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.
4/29/2003, CONTINUED. Continued to May 6, 2003
Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma, Newsom

14. 030277 [Supporting Sustainable Harvesting and Providing Consumer Information for Seafood]
Supervisor Sandoval
Resolution supporting the promotion of sustainable harvesting and providing consumer information for seafood in San Francisco restaurants and markets.

2/25/2003, REFERRED to City Services Committee. Supervisor Peskin requested this matter be Referred to Committee.

Question: Shall this Resolution be ADOPTED?

15. 030278 [Supporting Protection of Chilean Sea Bass]
Supervisor Sandoval
Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.

2/25/2003, REFERRED to City Services Committee. Supervisor Newsom requested that this matter be Referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

16. 030639 [Federal Funding - Community Development Grant]
Mayor
Resolution approving the 2003 Community Development Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 2003 Community Development Block Grant (CDBG) entitlement from the U. S. Department of Housing and Urban Development, and Program Income of \$34,246,928 which include indirect costs of \$150,000, and approving expenditure schedules for recipient departments and agencies and for indirect costs; placing \$567,262 on reserve.
(Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

17. 030640 [Federal Funding - Emergency Shelter Grants Program]
Mayor
Resolution approving the 2003 Emergency Shelter Grants Program and Expenditure Schedule; and authorizing the Mayor on behalf of the City and County of San Francisco to accept, and expend a \$867,000 entitlement under the Emergency Shelter Grants Program from the U. S. Department of Housing and Urban Development.
(Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
18. 030641 [Federal Funding - Home Program]
Mayor
Resolution authorizing the Mayor of the City and County of San Francisco to accept and expend a grant from the U. S. Department of Housing and Urban Development for a total amount of \$8,804,657 which include indirect cost of \$10,000 for the HOME Program authorized under TITLE II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 2003 Action Plan for San Francisco's Consolidated Plan.
(Mayor)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
19. 030630 [PUC Commercial Paper Issuance]
Mayor, Supervisors Daly, Maxwell
Resolution approving the issuance of not to exceed \$250,000,000 aggregate principal amount outstanding at any one time of the San Francisco Public Utilities Commission Commercial Paper Notes (Water Series) pursuant to Article V of Chapter 43 of Part 1 of the San Francisco Municipal Code for the purpose of financing certain capital improvements related to the water enterprise; approving the maximum interest rate thereon; and related matters.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
20. 030617 [Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]
Mayor, Supervisors Daly, Maxwell
Ordinance appropriating \$66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 030538 [Professional Services Contract]**Supervisors Maxwell, Sandoval, McGoldrick**

Resolution approving the Public Utilities Commission's approval of Amendment No. 2 to Contract No. CS-524, Program Management Contract, changing the designated consultant's title, name references, and setting the criteria for the payment of performance fees; and approving the renewal of Contract No. CS-524, the Water Infrastructure Partners (WIP) for a third year; and approving the release of contract Year 3 reserved funds of \$5.052M.

(Public Utilities Commission)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

From the Finance Committee "Without Recommendation"

Present: Supervisors Peskin, Sandoval, McGoldrick

22. 030689 [Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]**Supervisors Daly, Maxwell**

Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that landlords give tenants notice of any such passthrough on a Rent Board form, and that a tenant is entitled to a copy of the water bill from the landlord upon request; to provide for a line item on each water bill showing the charge per unit of water that is attributable to water rate increases resulting from issuance of such bonds, multiplied by the total units of water used by that customer during the billing cycle; to provide that where one water bill covers multiple units, the permissible passthrough per unit is calculated by dividing 50% of that line item amount by the total number of units covered by the bill (including any commercial units); to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

23. 020295 [Golden Triangle Light Standards as Landmark]
Supervisor McGoldrick
Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of The Planning Code.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 030356 [Renewable Tidal Energy]
Supervisors Gonzalez, Ammiano, Peskin, Daly, McGoldrick, Sandoval, Maxwell
Resolution supporting the development of a one megawatt renewable tidal energy pilot project within three years.
- Question: Shall this Resolution be ADOPTED?

From the Land Use Committee "Without Recommendation"

Present: Supervisors McGoldrick, Maxwell, Ammiano

25. 030629 [United Nations Plaza]
Supervisor Daly
Resolution approving the report of the Board of Supervisors' United Nations Plaza Working Group, and urging the Art Commission, Planning Commission, Department of Public Works, Mayor's Office and Bay Area Rapid Transit District (BART) to take all steps necessary and advisable to implement the report.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

26. 030578 [Amend Resolution No. 675-02 - Board and Committee Meetings.]
Supervisor Gonzalez
Resolution amending Resolution No. 675-02 to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings weeks when a holiday occurs, effective beginning the week of May 26, 2003, except that regularly scheduled Board and Committee meetings may be held on Monday through Wednesday of Thanksgiving week, and shall not be scheduled during the week following Thanksgiving.
- Question: Shall this Resolution be ADOPTED?

27. 030579 [Amend Rule 6.2 - Board of Committee Meetings]**Supervisor Gonzalez**

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to provide that neither the Board of Supervisors nor any of its Committees shall convene regularly scheduled meetings during weeks when a holiday occurs, effective beginning the week of May 26, 2003, except that regularly scheduled Board and Committee meetings may be held on Monday through Wednesday of Thanksgiving week, and shall not be scheduled during the week following Thanksgiving.

Question: Shall this Motion be ADOPTED?

28. 030580 [Amend Rule 4.34 - Supervisors Vote and Roll Call]**Supervisor Gonzalez**

Motion amending Rule 4.34 of the Rules of Order of the Board of Supervisors to provide that the first Supervisor to be called on a vote shall be the same Supervisor who is called first on Roll Call under Rule 3.9, effective June 10, 2003.

Question: Shall this Motion be ADOPTED?

29. 030192 [Establishing San Francisco Zoo Audit Select Committee]**Supervisor Gonzalez**

Motion creating a San Francisco Zoo Audit Select Committee.

Question: Shall this Motion be ADOPTED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 47

32. 030756 [Committee of the Whole]
Supervisor Daly
Motion scheduling a Committee of the Whole to consider health service reductions (Bielenson Hearing), to be held on June 10, 2003 at 3:00 PM.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
33. 030757 [Extension of Planning Commission Review Period]
Supervisor McGoldrick
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
34. 030758 [Commend Gateway High School]
Supervisor Gonzalez
Resolution commending Gateway High School and Principal Peter Thorp for being recognized as a California Distinguished School.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
35. 030759 [Mount Davidson Commendation]
Supervisor Hall
Resolution commending The City Attorney's Office, including Deputy City Attorneys Teresa Stricker, Ellen Forman, Kate Stacy and Mariam Morley, Former Deputy City Attorneys Mara Rosales, Peter Obstler and Elizabeth Dietrich for their successful efforts to defend the sale of the cross on Mount Davidson and the Council of Armenian American Organizations of Northern California for their successful efforts to preserve the cross on Mount Davidson as a memorial to the Armenian Genocide.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

36. 030760 [Jackson Square Special Use District]
Supervisor Peskin
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to creation of the Jackson Square Special Use District.

4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 030761 [US Senator Rick Santorum]
Supervisor Newsom
Resolution urging Senator Rick Santorum to step down from his leadership position in the Republican Party and to apologize for his comments made on April 7th, 2003 to the Associated Press.

4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 030762 [Fish Alley]
Supervisor Newsom
Resolution urging the San Francisco Port and the Port Commission to continue its discussion with the tenants of the building located at Wharf J10, specifically to seek options other than demolition of the building and structure at Wharf J10 in Fish Alley.

4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 030763 [Declare May 2003 Safe Jobs for Youth Month]
Supervisors Ma, Newsom, Maxwell
Resolution declaring May 2003 as "Safe Jobs for Youth Month" in the City and County of San Francisco.

4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 030764 [Preserve and Expand Summer Programming]
Supervisors Ma, Dufty
Resolution supporting efforts to preserve and expand summer programming and urging City departments and the San Francisco Unified School District to identify ways to keep school buildings open for community-based organizations' usage.

4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

41. 030765 [Commend Chen Yi]
Supervisor Ma
Resolution honoring the works and contributions of composer Chen Yi for the occasion on Dr. Chen's 50th birthday.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 030766 [Supporting Senate Bill 848]
Supervisors Ma, Maxwell
Resolution urging the support of Senate Bill 848, which would double or increase the fines for specified traffic violations cited in school zones in any city or county that approves a required local implementing ordinance and authorize the use of these enhanced fine revenues for pedestrian and bicycle safety programs.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 030767 [Declare May 6, 2003 as World Asthma Day in SF]
Supervisors Maxwell, Ma
Resolution declaring May 6th, 2003 as World Asthma Day in San Francisco.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 030768 [Proud Young Women's Day]
Supervisor Maxwell
Resolution commending Martin Luther King Middle School for their efforts to empower and develop leadership in their young women and proclaiming May 14, 2003 as "Proud Young Women's Day in the City and County of San Francisco.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 030769 [Proclaim May 19-25, 2003, as Public Works Week in SF]
Supervisors Maxwell, Dufty, Hall
Resolution proclaiming May 19 through 25, 2003, as Public Works Week in San Francisco.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 030770 [Supporting California Bicycle Commute Week]
Supervisor Maxwell
Resolution supporting California Bicycle Commute Week May 12-16, 2003.
- 4/29/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

47. 030659 [Final Map for a 15 Unit Commercial and Live/Work Condominium Project]
Motion approving Final Map of 2900 22nd Street, a Commercial and Live/Work Condominium Project, being a subdivision of Lots 9 and 10, Assessor's Block No. 3613, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,081; District 9.)

4/24/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 22, 2003 through April 28, 2003, for reference by President to appropriate committee on May 6, 2003.

030660 [Settlement of Lawsuit - Carmi L. Johnson]

Ordinance authorizing settlement of the lawsuit filed by Carmi L. Johnson against the City and County of San Francisco for \$85,000; the lawsuit was filed on March 2, 2001 in United States District Court, Northern District, Case No. C01-0904 SBA; entitled Carmi L. Johnson v. City and County of San Francisco, Roland Chen, Therese Madden; other material terms of said settlement are: 1. PUC to redistribute policies regarding prevention of harassment and retaliation; 2. City to provide contact individual at City Department of Human Resources for future EEO issues.

(City Attorney)

(Public Benefit Recipient.)

4/23/2003, RECEIVED AND ASSIGNED to Rules Committee.

030691 [Settlement of Legal Proceeding]

Ordinance approving the settlement of a claim filed by the City and County San Francisco in the bankruptcy entitled In re Metricom, Inc., United States District Court, Northern District of California, Case No. 01-53291-ASW.

(City Attorney)

(Public Benefit Recipient.)

4/22/2003, RECEIVED AND ASSIGNED to Rules Committee.

030703 [Settlement of Lawsuit - Sherri Cytanovich]

Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al.

(City Attorney)

4/28/2003, RECEIVED AND ASSIGNED to Rules Committee.

030747 [Fee Schedule Amendments - Planning Department]

Ordinance amending the San Francisco Administrative Code by amending Chapter 31, Article IV to increase fees for services.

(Planning Department)

(No Public Benefit Recipient.)

4/28/2003, RECEIVED AND ASSIGNED to Budget Committee.

030748 [Fee Schedule Amendments - Planning Department]

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees for services.

(Planning Department)

(No Public Benefit Recipient.)

4/28/2003, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 22, 2003 through April 28, 2003, for reference by President to appropriate committee on May 6, 2003.

030692 [Accept- Expend Proposition 13 Grant]

Resolution authorizing the Department of the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$1 million from the Proposition 13 account for the removal of Niles and Sunol dams.

(Public Utilities Commission)

(No Public Benefit Recipient.)

4/25/2003, RECEIVED AND ASSIGNED to City Services Committee.

030693 [Prevailing Wage Rates]

Resolution fixing the prevailing wage rates for workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City.

(Civil Service Commission)

(No Public Benefit Recipient.)

4/25/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030745 [Settlement of Claim - Thomas W. Westwood]

Resolution approving the settlement of the unlitigated claim filed on February 7, 2002 by Thomas W. Westwood against the City and County of San Francisco.

(City Attorney)

(Public Benefit Recipient.)

4/25/2003, RECEIVED AND ASSIGNED to Rules Committee.

030746 [Mental health services to HIV positive women and their adult family members amendment 2]

Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement, Amendment Number 2, in an additional amount of \$30,000 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

4/28/2003, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the May 15, 2003 meeting.

030782 [Petitions and Communications]

Petitions and Communications received from April 22, 2003 through April 28, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 6, 2003.

From Tse Lan Lam, filing notice of appeal for property located at 271 Harold Avenue from action of the Planning Commission. (1)

From SF Unified School District, submitting a copy of the 1997 Educational Facilities Bonds Quarterly Report for January through March 2003, Volume IX. Copy: Each Supervisor, Budget Analyst Harvey Rose (2)

From Budget Analyst, submitting copy of the Budget Analyst's Management Audit Report of SF General Hospital's Revenues and Expenditures. (3)

From Police Department, concerning the Department's procedures for investigating officer wrongdoing, including the Internal Management Control Division reviews, timelines for investigation, procedures for review and recommendations by the Chief of Police, Commission process, and current or proposed processes for third-party review in cases of real or perceived conflict of interest. File 030466, Copy: Supervisors Ammiano, McGoldrick (4)

From Police Commission Office of Citizen Complaints, regarding patterns of withholding information by the SF Police Department from the Office of Citizen Complaint investigators. File 030466, Copy: Supervisors Ammiano, McGoldrick (5)

From Office of the Sheriff, submitting request for release of reserved funds (\$2,375,147) to repay the General Fund for costs incurred for the planning and environmental review phases of the San Bruno Jail Project. Copy: Supervisor Peskin, Chair of Finance and Audits Committee (6)

From SF Airport Director, submitting detailed status report of passenger traffic levels and its impact on the Concession Program Leases. File 021230, Copy: Supervisor Peskin, Chair of Finance and Audits Committee (7)

From Department of the Environment, submitting notice that the Department incurred no costs relating to any of the anti-war protests held in San Francisco. (Reference No. 20030325-026) Copy: Supervisor Hall (8)

From Office of the Clerk of the Board, submitting list of organizations, including the membership shop in which the Board of Supervisors/Clerk of the Board's Office wishes to be a member in fiscal year 2003-04. Copy: Each Supervisor, Mayor, Controller (9)

From IFPTE, Local 21, submitting analysis of the new Management Classification and Compensation Plan ("MCCP"). Copy: Each Supervisor (10)

From Youth Commission, submitting copy of two resolutions adopted by the Commission on April 21, 2003, authorizing the Department of Children, Youth and Their Families to accept and expend a grant from the Substance Abuse and Mental Health Services Administration, and from the U.S. Department of Justice, Violence against Women Office for Safe Havens. (11)

From Board of Appeals, submitting copy of letter sent to constituent concerning support for the Zoning Administrator's Determination that hamburger restaurants are not permitted at Lakeshore Plaza. (12)

From Mayor's Office of Criminal Justice, submitting budget information from community based organizations that have a contract with the Mayor's Office of Criminal Justice. (Reference No. 20021216-087) Copy: Supervisor Hall (13)

From Office of the Controller, submitting report on the best practices for internal investigations and civilian review of Police complaints in other jurisdictions, and on reforms which have been undertaken in other cities. (Reference 20030318-015) File 030466, Copy: Supervisor Ammiano (14)

From Department of Public Works, submitting copy of letter sent to SF Transportation Authority responding to the draft Expenditure Plan distributed to City staff at the Transportation Authority Technical Working Group meeting on April 17, 2003. Copy: Each Supervisor (15)

From Department of Human Services, regarding any new or existing programs designated by the Department for the implementation of the provisions of Proposition N, Care Not Cash. (Reference No. 20030318-011) Copy: Supervisor McGoldrick (16)

From Coalition for SF Neighborhoods, submitting opposition to any change in the Zoning and Planning Codes (including the Housing Element and the Land Use Element which are segments of the Citywide Action Plan). File 021598 (17)

From Office of the Legislative Analyst, submitting report regarding funding for crime labs and DNA testing in comparable cities, identifying the current backlog at the Police Department Crime Lab, and recommending how to increase capacity and efficiency at the crime lab. File 021905, Copy: Supervisor Daly (18)

From Department of Public Health, concerning risks of the West Nile Virus to citizens of San Francisco and what steps have been taken by the department to minimize these risks. (Reference No. 20030305-005) Copy: Supervisor Sandoval (19)

From Department of Public Health, regarding systematic procedures for risk management of employees of the City and County of San Francisco. (Reference No. 20030325-199) Copy: Supervisor McGoldrick (20)

From Human Rights Commission, submitting notice that no costs was incurred as a result of the anti-war protests. (Reference No. 20030325-029) Copy: Supervisor Hall (21)

From Office of the Sheriff, submitting an update on the department's participation on the Justice Information System (JUSTIS) project. (Reference No. 20030187-005) Copy: Supervisor Newsom (22)

From concerned citizens, submitting opposition to proposed ordinance implementing restrictive and prohibitive office use for Jackson Square neighborhood buildings. File 030040, 2 letters (23)

From SF Airport, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference Nos. 20030325-157 and 20030325-092) Copy: Supervisor McGoldrick (24)

From Employees' Retirement System, submitting notice that no costs was incurred as a result of the anti-war protests. (Reference No. 20030325-053) Copy: Supervisor Hall (25)

From Muni, submitting an itemized account of costs incurred by Muni during the anti-war protests. (Reference No. 20030325-020) Copy: Supervisor Hall (26)

From SF Architectural Heritage, submitting support for landmark designation of the Golden Triangle Street Light Standards. Copy: Land Use Committee (27)

From Police Department, submitting an update on the department's participation on the Justice Information System (JUSTIS) project. (Reference No. 20030187-005) Copy: Supervisor Newsom (28)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance that would amend the Planning Code to permit one additional secondary dwelling unit of no more than 750 square feet of gross floor area in Residential Districts that meet certain criteria. File 021598, Copy: Each Supervisor (29)

From Youth Commission, submitting opposition to proposed resolution authorizing the District Attorney to accept grant from the U.S. Justice Department for a project entitled "Project Sentry". File 030504, Copy: Each Supervisor (30)

From Department of Building Inspection, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference Nos. 20030325-081 and 20030325-146) Copy: Supervisor McGoldrick (31)

From SF Airport, submitting notice that the Airport did not incur any cost as a result of last week's protest. (Reference No. 20030325-027) Copy: Supervisor Hall (32)

From Law Library, regarding risk management practices at the Law Library. (Reference No. 20030325-195) Copy: Supervisor McGoldrick (33)

From Lake County Board of Supervisors, sitting as Lake County In-Home Supportive Services Public Authority, submitting opposition to AB 1470 and SB 936. (34)

From Youth Commission, submitting three resolutions; regarding police accountability, urging passage of AB 1608, and commending the May 8th Rally. (35)

From SF Environment, regarding providing assistance to San Francisco Unified School District in developing a waste audit and recycling strategy. (Reference No. 20030325-003) Copy: Supervisors Ammiano, Dufty (36)

From Office of the Sheriff, submitting an itemized account of costs incurred by Muni during the anti-war protests. (Reference No. 20030325-013) Copy: Supervisor Hall (37)

From SF Environment, submitting information regarding the Department of the Environment's new lease. (38)

From California State Association of Counties, urging the Board of Supervisors to oppose AB 206 that would enact the Emergency Health Powers Act which circumvents the authority of the County Boards of Supervisors and allows the State Department of Health Services to designate a person to act on behalf of the county for purposes of this act. Copy: Each Supervisor (39)

From Stanley Bascom, submitting his concern with the Board of Supervisors proposal to watch over Muni's 98 projects, including direct management responsibility for designing and building the \$980 million Transbay Terminal. Copy: Each Supervisor (40)

From Patrick Monette-Shaw, submitting report concerning trimming 10% to 20% of the City's management fat. Copy: Each Supervisor (41)

From Patrick Monette-Shaw, submitting revised copy of his report dated April 16, 2003 concerning trimming 10% to 20% of the City's management fat. Copy: Each Supervisor (42)

From John Blakeley, submitting opposition to proposed rent ordinance amendment regarding relocation payments. File 030670 (43)

From Michael Lyon, urging the Board of Supervisors not to cut funding for Central City Hospitality House, and it's Tenderloin self-help Center. (44)

From concerned citizens, submitting support for issuance liquor license for the 111 Minna Gallery at 111 Minna Street. (45)

From concerned citizen, submitting request for telecast by SFGTV of Planning Commission meetings. (46)

From Civil Service Commission, submitting report regarding salary survey for Registered Nurse Classifications as provided under Charter Section A8.403. Copy: Each Supervisor (47)

From City Librarian, submitting notice that she will be proposing an alternate plan to legislation that would create a citizen's advisory committee for the San Francisco Public Library to the Library Commission on May 20, 2003. Copy: Each Supervisor (48)

From War Memorial and Performing Arts Center, concerning systematic efforts by the department to identify, evaluate, address, mitigate and monitor risks associated with departmental activities. (Reference Nos. 20030325-109 and 20030325-174) Copy: Supervisor McGoldrick (49)

From National Association of the Remodeling Industry, urging the Board to place a proposition on the City ballot to amend the San Francisco Charter, establishing the Small Business Commission as a charter commission. Copy: Each Supervisor (50)

From Youth Commission, submitting opposition to proposed legislation urging the Police Department to itemize their expenses associated with the March 20-22, 2003 anti-war protests, forward that information to the City Attorney, and urging the City Attorney to pursue all legal remedies against those responsible for organizing these demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted. (51)

From Youth Commission, submitting opposition to proposed legislation urging the District Attorney to prosecute to the fullest extent allowed under the law to those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders. (52)

From Department of Public Works, submitting Defective Sidewalk Repair Revolving Account report for the period January 1, 2003 through March 31, 2003. (53)

From concerned citizens, submitting concern that the mechanics and education required for Instant Runoff Voting may not be in place in time for the November elections unless some action is taken by the Board of Supervisors. Copy: Each Supervisor (54)

From Muni, submitting Muni's operating fund report for the third quarter of fiscal year 2003. (55)

From Public Library, submitting notice that the Library did not incur any costs as a result of the anti-war demonstrations. (Reference No. 20030325-042) Copy: Supervisor Hall (56)

From concerned citizens, submitting opposition to proposed rent ordinance that would allow an increased number of tenants to live in an apartment. Copy: Each Supervisor (57)

From Alex Lantsberg, submitting support for the State Legislature's adoption of AB 1187, creating the Hunters Point Shipyard Development Authority. Copy: Each Supervisor (58)

From concerned citizens, submitting support for resolution encouraging sustainable harvesting and labeling of seafood. File 030278, 030277 (59)

From Action for Animals, submitting news article entitled A Breeding Ground? Alleging some markets in China sell live animals that could be linked to SARS. Copy: Each Supervisor (57)

From Lloyd Schloegel, regarding traffic safety at the intersection of Van Ness Avenue and McAllister Street. (58)

From Mr. & Mrs. Ralph House, submitting their concern with the recently passed legislation that revises administration of the Police Emergency Alarm Ordinance. File 021995, Copy: Each Supervisor (59)

From Stefan Stuerwald, requesting a stop sign be placed at the intersection of Hayes and Clayton Streets. Copy: Each Supervisor (60)

From Edward Goehring, regarding his concern with the drug dealing, theft and fights at the intersection of Haight and Fillmore Streets. Copy: Each Supervisor (61)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 1, 2003

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Topic	File No.	Committee	Source	Legislation Introduced	30 Day Rule Expires
Charter Amendment (First Draft) Amend 2.113 Supervisors must hold a hearing 30 days before the deadline for submission of Ordinances and Declaration of Policy	030632	Rules Committee	Supervisor Newsom	4/15/03	5/15/03
Amend SF Environment Code Resource Efficiency Requirements and Green Building Standards	030679	Rules Committee	Supervisor Ammiano	4/22/03	5/22/03
Charter Amendment Ethics Provisions	030681	Rules Committee	Supervisor Ammiano	4/22/03	5/22/03
Motion Ordering submitting of Ordinance authorizing Conflict of Interest Law Amendments	030682	Rules Committee	Supervisor Ammiano	4/22/203	5/22/03
Ordinance amending Municipal Elections Code	030652	Rules Committee	Elections Department	4/29/03	5/29/03
Ordinance authorizing DPT to issue City-Wide permits to exempt SFUSD itinerant teachers and designated school administrators.	030738	Land Use Committee	Supervisor Ammiano	4/29/03	5/29/03

Charter Amendment Commission on the Environment	030741	Rules Committee	Supervisor Maxwell	4/29/03	5/29/03
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

MAY - 8 2003

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 13, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Duffy, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Duffy, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvr.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

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For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

1. 030475 [Settlement of Lawsuit - Sohail Ali, et al.]
Ordinance authorizing settlement of the lawsuit filed by Sohail Ali against the City and County of San Francisco for \$47,500; the lawsuit was filed on April 29, 2002 in San Francisco Superior Court, Case No. 407-277; entitled Sohail Ali, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

5/6/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 030500 [Settlement of Lawsuit - Poppie Kouremetis]
Ordinance authorizing the City Attorney to make an offer of judgment under Federal Rule of Civil Procedure 68 of up to \$75,000 in settlement of damages, attorneys' fees, and costs in the matter of Kouremetis and County of San Francisco. The lawsuit was filed on May 13, 2002, in San Francisco Superior Court, Case No. 407852 entitled Kouremetis v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

5/6/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
3. 030539 [Settlement of Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Alison Duthie and other plaintiffs against the City and County of San Francisco and other defendants for \$175,000; the lawsuit was filed on February 15, 2000 in United States District Court, Case No. C00-0539 (MEJ); entitled Alison Duthie, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

5/6/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

4. 030546 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Lane Street and McKinnon Avenue, stopping westbound McKinnon Avenue at Lane Street;
Green and Taylor Streets, stopping both Green and Taylor Streets, making this uncontrolled T-intersection an all-way STOP;
20th Avenue and Kirkham Street, stopping Kirkham Street, making this intersection an all-way STOP;
Jennings Street and Thomas Avenue, stopping Jennings Street, making this intersection an all-way STOP;
Olmstead and Girard Streets, stopping Olmstead Street at Girard Street, making this intersection into an all-way STOP;
Rutland Street and Raymond Avenue, stopping Rutland Street at Raymond Avenue, making this intersection an all-way STOP;
Newhall Street and La Salle Avenue, stopping Newhall Street at La Salle Avenue; and
McKinnon Avenue and Newhall Street, stopping McKinnon Avenue at Newhall Street.
Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.
(Parking and Traffic Department)
(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order NO. 2597; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

5. 030547 [Traffic Regulations on Various Streets]
Resolution enacting and rescinding traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
Dwight Street, eastbound, at San Bruno Avenue.

NO RIGHT TURN ON RED - ESTABLISH
Beach Blanket Babylon Boulevard (Green Street), eastbound, at Columbus Avenue.

NO LEFT TURN AND NO U-TURN - RESCIND
The Embarcadero, southbound, at Washington Street.

NO U-TURN - RESCIND
The Embarcadero, northbound, at Broadway.

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 43rd Avenue.

NO RIGHT TURN ON RED FROM 7 AM TO 8 PM - ESTABLISH
Geary Expressway and Laguna Street, all approaches.

NO LEFT TURN, 7:00 AM TO 9:00 AM AND 4:00 TO 6:00 PM, EXCEPT SATURDAY AND
SUNDAY - RESCIND

NO LEFT TURN - ESTABLISH
Judah Street, both directions, at 14th Avenue.
(Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

6. 030575 [State Grant - Mayor's Office of Criminal Justice]

Mayor, Supervisors Dufty, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of \$2,634,179 from the State Board of Corrections, from funds made available under Assembly Bill 1913 - known as the Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000), for programs and approaches that have been demonstrated to be effective in reducing delinquency.

(Mayor)

(Public Benefit Recipient.)

5/6/2003, CONTINUED. Continued to May 13, 2003.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

7. 030617 [Funding for the SFPUC Capital Improvement Program, Fiscal Year 2002-03]

Mayor, Supervisors Daly, Maxwell, Dufty, Newsom

Ordinance appropriating \$66,075,000 of funding from the sale of commercial paper for capital projects and financing costs pursuant to the San Francisco Public Utilities' Commission Capital Improvement Program for fiscal year 2002-03.

(Mayor)

(No Public Benefit Recipient.)

5/6/2003, PASSED ON FIRST READING. Supervisors Dufty and Newsom requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

From the Finance Committee "Without Recommendation"

Present: Supervisors Peskin, Sandoval, McGoldrick

8. 030689 [Pass through to residential tenants 50% of water bill charges attributable to water rate increases resulting from issuance of PUC water system revenue bonds]
Supervisors Daly, Maxwell, Dufty
- Ordinance amending Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) by amending Sections 37.2, 37.3, and 37.8, to provide that landlords may pass through to residential tenants fifty percent (50%) of water bill charges attributable to water rate increases resulting from the issuance of any PUC water system revenue bonds authorized at the November 5, 2002 election, where a unit is in compliance with any applicable laws requiring water conservation devices; to provide that landlords give tenants notice of any such passthrough on a Rent Board form, and that a tenant is entitled to a copy of the water bill from the landlord upon request; to provide for a line item on each water bill showing the charge per unit of water that is attributable to water rate increases resulting from issuance of such bonds, multiplied by the total units of water used by that customer during the billing cycle; to provide that where one water bill covers multiple units, the permissible passthrough per unit is calculated by dividing 50% of that line item amount by the total number of units covered by the bill (including any commercial units); to provide that any such passthrough does not become part of a tenant's base rent; to provide that a tenant may file a hardship application with the Rent Board for relief from all or part of the cost passthrough, and that if a hardship application is granted the affected landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenant's hardship status; to provide that a tenant may file a petition with the Rent Board within one year of the effective date of a passthrough for determination of whether that passthrough is in compliance with the Code, and that the landlord bears the burden of proving the accuracy of the passthrough calculations in such a hearing; clarification of other Rent Ordinance provisions, in order to distinguish general obligation bonds from water revenue bonds; and technical changes in order to conform to other recent Rent Ordinance amendments.

5/6/2003. PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

9. 020295 [Golden Triangle Light Standards as Landmark]
Supervisors McGoldrick, Peskin
- Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

5/6/2003. PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

10. 030565 [MOU - Supervising Probation Officers, Local 3]
Mayor, Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
11. 030566 [MOU - Operating Engineers, Local 3]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
12. 030567 [MOU - Plasterers and Shophands, Local 66]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 030568 [MOU - Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 030569 [MOU - Federation of Professional and Technical Engineers, Local 21]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 030570 [MOU - Deputy Sheriffs' Association]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 030571 [Unrepresented Employees]
Mayor, Supervisors Daly, Maxwell
Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
17. 030572 [MOU - MEA]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
18. 030709 [MOU - Transport Workers Union, Local 250-A (7410)]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 030710 [MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector)]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 030711 [MOU - Sheet Metal Workers International Union, Local 104]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 030712 [MOU - (I.A.T.S.E.), Local 16]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 030713 [MOU - Carpenters, Local 22]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 030714 [MOU - Laborers International Union, Local 261]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 030715 [MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 030717 [MOU - Ironworkers, Local 377]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 030718 [MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
27. 030719 [MOU - Stationary Engineers, Local 39]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
28. 030720 [MOU - Roofers, Local 40]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 030721 [MOU - Painter's Local Union No. 4]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 030722 [MOU - Cement Masons, Local 580]
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 030724 [MOU - International Brotherhood of Electrical Workers, Local 6]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 030725 [MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 030726 [MOU - Teamsters, Local 853]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 030727 [MOU - Teamsters, Local 856]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 030731 [MOU - Teamsters, Local 350]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?
36. 030732 [MOU - Transport Workers Union, Local 250-A Multi-Unit]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?
37. 030733 [MOU - Transport Workers Union, Local 200 (SEAM)]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?
38. 030734 [MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]
Supervisors Daly, Maxwell
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Gonzalez

39. 030623 **[Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]
Mayor, Supervisor Daly**
Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

40. 030624 **[Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]
Mayor, Supervisor Daly**
Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 030625 **[Increasing the Alemany Flea Market Daily Stall Fee]
Mayor, Supervisor Daly**
Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from \$30 per stall to \$45 per stall.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 030626 [Recreation and Parks - Fees]**Mayor, Supervisor Daly**

Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls.

(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 030627 [Treasurer's charge for returned checks]**Mayor, Supervisor Daly**

Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge up to \$35.00 for each check returned to the City without payment, based upon the actual costs as determined by the Controller.

(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 030675 [State Budget Priorities]**Supervisor Daly**

Resolution establishing the official position of the City and County of San Francisco on the state budget and endorsing principles for a balanced solution to the state budget crisis.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

45. 030250 [Increase Lobbyist Fees and Late Filing Fines]**Supervisor Peskin**

Ordinance amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from \$300.00 to \$500.00; client fees from \$50.00 to \$75.00; and late filing fines from \$25.00 per day to \$50.00 per day.

(Ethics Commission)

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 030521 [Making Environmental Findings and Re-authorizing Vehicle Registration Fee]
Mayor
Resolution making environmental findings and re-authorizing a one dollar (\$1) fee to be paid at time of vehicle registration, renewal, or supplemental application for every vehicle registered to an address within the City and County of San Francisco, except exempt vehicles, to be used exclusively to fund law enforcement programs related to fingerprint identification of persons committing crimes while operating motor vehicles; ratifying said fees paid between January 1, 2003, and the effective date of this resolution; and authorizing the Police Department to issue a fiscal year end report to the California State Controller on the collection and use of these fees.
(Mayor)

Question: Shall this Resolution be ADOPTED?

47. 030536 [Amendment to Real Property Lease]
Resolution authorizing a second amendment to an existing lease of office space at 1212 Market Street, also known as 11 Grove Street, for the Department of the Environment.
(Real Estate Department)
(Public Benefit Recipient; District 6.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

48. 021771 [Permit Required for Construction of an Impervious Surface in Front Yard]
Supervisors Sandoval, Maxwell
Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to \$500; amending Section 110, Table 1-F to establish the permit fee. (1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Ammiano

49. 030510 [Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,026.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Maxwell, Ammiano

50. 030548 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street east side, between 21st and 22nd Streets (900 block); and Church Street, west side, between 21st and Hill Streets (900 block).

NOTE: The 900 block of Church Street will be legislated to be signed as an Area "S" and Area "Z" buffer zone. The residents of Church Street will receive only Area "S" permits, but the signs on the block will eventually allow both Area "S" and "Z" permit holders to park. The signs will initially allow only "S" parking, but will be changed as the Area "Z" boundary expands and merges with Area "S".

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

19th Avenue, east side, from Junipero Serra Boulevard to 68 feet southerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Dorman Avenue, both sides, between Barneveld and Palou Avenues.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Palou Avenue, both sides, between Barneveld Avenue and Industrial Street.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

Blake Street, west side, from its terminus north of Geary Boulevard to 30 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Broadway North Service Road, south side, from 13 to 240 feet east of Hyde Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Broadway North Service Road, north side, from 0 to 240 feet east of Hyde Street.

(Parking and Traffic Department)

(4/1/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2597; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

51. 030654 [Public Hearing - Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16546 dated March 20, 2003, Case No. 2000.1311EC, relating to [A] The approval of a conditional use authorization to allow [1] The construction of dwelling units in a C-M (Heavy Commercial) zoning district pursuant to Planning Code Section 215(a), [2] The creation of housing that does not provide 25 percent of the total number of units as affordable units in the Mission District pursuant to Section A(iv) of Board of Supervisors Resolution No. 500-02 (Mission District Interim Controls), and [3] The establishment of a Non-production, Distribution, or Repair (PDR) use on a site within the Northeast Mission Industrial Zone (NEMIZ) on which a PDR use existed since August 5, 1999 pursuant to Section E(v) of the Mission District Interim Controls on property located at 2690 Harrison Street (aka 3000 23rd Street) northwest corner of 23rd Street; Lot 004, in Assessor's Block 3639.
(Appeal filed April 21, 2003; Mitigated Negative Declaration adopted and issued June 27, 2002; companion measure to Files 030655, 030656, 030657, 030658; District 9.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk**(Only one of the following two motions should be adopted.)**

52. 030655 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

53. 030656 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

54. 030657 [Findings - 2690 Harrison Street (aka 3000 23rd Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

55. 030658 [Environmental Review]
Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street).
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following item will be considered by the Rules Committee at a Regular Meeting on Wednesday, May 7, 2003. The Chair intends to request the Committee to send the following item to the Board as a committee report.

56. 030703 [Settlement of Lawsuit - Sherri Cytanovich]
Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

57. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

58. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

**59. 030809 [Legislative Analyst Request]
Supervisor Ma**

Motion requesting the Office of the Legislative Analyst (OLA) to compare and contrast how Public Guardian Offices in other major counties accommodate hospitals wanting to refer their clients for probate/Lanterman-Petris-Short (LPS) conservatorships. In addition, the OLA should review whether these counties have contracts with hospitals to "fast track" discharged patients.

Question: Shall this Motion be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

**60. 030328 [Settlement of Unlitigated Claim]
Supervisor Hall**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

5/6/2003, CONTINUED. Continued to May 13, 2003

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

61. 030825 [Closed Session - Unlitigated Claim Filed by the City]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing unlitigated claim filed by the City against D. Mitchell Concessions, Inc. alleging that Mitchell is in default on its contractual obligations at San Francisco International Airport.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending unlitigated claim listed below.

San Francisco v. D. Mitchell Concessions, Inc.

Unlitigated Claim

Date Initiated - 7/02

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 62 through 73

**62. 030814 [Summer School Programs]
Supervisor Ammiano**

Resolution urging the Mayor's Office to recommend reallocating funds from under-performing programs funded through the Children's Fund to fund alternative programs to summer school programs. Furthermore, the alternative programs would be administered by the Department of Children Youth & Their Families.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**63. 030815 [Urging SFUSD to waive fees for alternative programs to Summer School]
Supervisor Ammiano**

Resolution urging the San Francisco Unified School District to provide free access to school sites for alternatives to summer school programs. Furthermore, urging the Mayor's Office in conjunction with the Board of Supervisors to secure funds for the Unified School District to fill any shortfall that would result from waiving rental fees.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**64. 030816 [Commend Gay Asian Pacific Alliance]
Supervisors Dufty, Ma, Ammiano**

Resolution commending the Gay Asian Pacific Alliance (GAPA) for 15 years of service to the Lesbian, Gay, Bisexual and Transgender Asian and Pacific Islander (API) community in San Francisco and declaring May 17, 2003 "GAPA Day" in the City and County of San Francisco.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**65. 030817 [Commend SF Gay and Lesbian Tennis Federation]
Supervisor Dufty**

Resolution commending the San Francisco Gay and Lesbian Tennis Federation (GLTF) for its annual tournament.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

66. 030819 [Support Senate Concurrent Resolution 12]
Supervisor Newsom
Resolution urging the State Legislature to adopt Senate Concurrent Resolution 12, introduced by Senator Richard Alarcon, which would create a joint committee charged with developing a master plan to end poverty in the State of California.
- 5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 030820 [Accept and Expend Gift]
Supervisor Peskin
Resolution authorizing the Director of Planning to accept and expend a gift in the amount of \$150,000 from the Jessie Square Garage Partners, LLC, an affiliate of Millennium Partners, for purposes of the gift.
- 5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
68. 030821 [Stop Sign Designation - Greenwich and Powell Streets]
Supervisor Peskin
Resolution urging the installation of four-way Stop signs at the intersection of Greenwich and Powell Streets.
- 5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
69. 030833 [Senate Bill 1005]
Supervisor Sandoval
Resolution urging the California State Legislature to Pass SB 1005: The Safe Ratios Enforcement Act.
- 5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
70. 030834 [Commending Bernard Osher Foundation]
Supervisor Sandoval
Resolution commending the Bernard Osher Foundation for awarding \$350,000 in grant funds to the Friends and Foundation of the San Francisco Library for the Branch Library Project.
- 5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

71. 030836 [OMI Family Center]**Supervisor Sandoval**

Resolution urging the Mayor to preserve mental health services within the City and County of San Francisco and services at the OMI Family Center in the face of the upcoming budget crisis.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

72. 030792 [Needle Exchange Emergency]**Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

73. 030818 [Directing the Budget Analyst to Conduct a Management Audit of the Controller's Office]**Supervisors Hall, Gonzalez, Ammiano, Dufty, Maxwell, McGoldrick, Sandoval**

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Controller's Office on a priority basis

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

74. 030828 [Housing Element of General Plan]**Supervisor McGoldrick**

Resolution requesting that the Planning Department give the highest priority to completion of environmental review for the revision of the Housing Element of the City's General Plan.

5/6/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

75. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 29, 2003 through May 5, 2003, for reference by President to appropriate committee on May 13, 2003.

030773 [Settlement of Lawsuit - Loretta A. Bowie]

Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for \$92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer.

(City Attorney)

(Public Benefit Recipient.)

5/2/2003, RECEIVED AND ASSIGNED to Rules Committee.

030774 [Settlement of Lawsuit - Derrell Neal]

Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al.

(Public Benefit Recipient.)

5/2/2003, RECEIVED AND ASSIGNED to Rules Committee.

030775 [Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]

Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al.

(City Attorney)

(Public Benefit Recipient.)

4/30/2003, RECEIVED AND ASSIGNED to Rules Committee.

030779 [Speed Limit - Fulton Street between Masonic Avenue and Stanyan Street]

Ordinance adding Section 174.05 and amending Section 175.22 of the San Francisco Traffic Code to reduce the speed limit from 30-MPH to 25-MPH on Fulton Street between Masonic Avenue and Stanyan Street.

(Parking and Traffic Department)

5/5/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 29, 2003 through May 5, 2003, for reference by President to appropriate committee on May 13, 2003.

030776 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mangels Avenue at Genessee Street, stopping Mangels Avenue at Genessee Street, making this intersection an all-way STOP;

20th and Arkansas Streets, stopping 20th Street at Arkansas Street, making this intersection an all-way STOP;

26th and Tennessee Streets, stopping Tennessee at 26th Street, making this intersection a two-way STOP; and

12th Street at South Van Ness Avenue, stopping southbound 12th Street at South Van Ness Avenue. (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/5/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030777 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES (SIX MONTH TRIAL) - ESTABLISH

Fell Street, from Baker Street to Scott Street.

STREET CLOSURE (6:00 PM TO MIDNIGHT, MONDAY THROUGH FRIDAY AND 11:00 AM TO MIDNIGHT, SATURDAY AND SUNDAY) - ESTABLISH

De Boom Street, north side, from 2nd Street to 75 feet easterly (seven-foot closure for tables and chairs, retains 14-foot access lane).

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/5/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030778 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 6:00 PM (SIX-MONTH TRIAL) - RESCIND

Fell Street, south side, from Baker Street to Scott Street (Fell Street bike lanes).

TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 7:00 PM (SIX-MONTH TRIAL) - ESTABLISH

Fell Street, south side, from Divisadero Street to 182 feet easterly (Fell Street bike lanes).

TOW-AWAY, LANE MUST TURN LEFT (SIX-MONTH TRIAL) - ESTABLISH

Fell Street, at Scott Street (Fell Street bike lanes).

(Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

5/1/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030780 [Lease of Real Property]

Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services.

(Real Estate Department)

(Public Benefit Recipient.)

5/5/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030841 [Petitions and Communications]

Petitions and Communications received from April 29, 2003 through May 5, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 13, 2003.

From State Technology, Trade and Commerce Agency, submitting notebook on general information and issues on quick facts about the Department of Defense in California. (1)

From Department of Administrative Services, submitting costs incurred as a result of the anti-war protests in March 2003. (Reference No. 20030325-047) Copy: Supervisor Hall (2)

From Adult Probation Department, submitting report on the department's participation on the JUSTIS project. (Reference No. 20030318-009) Copy: Supervisor Newsom (3)

From Chief Medical Examiner, submitting overtime report pursuant to Administrative Code Section 18.13. (4)

From Office of the City Attorney, submitting itemized costs incurred as a result of the anti-war protests. (Reference No. 20030325-012) Copy: Supervisor Hall (5)

From Department of Child Support Services, submitting notice that the department did not incur any costs due to the anti-war protest. (Reference No. 20030325-025) Copy: Supervisor Hall (6)

From Department of Child Support Services, regarding the Department's risk management procedures. (Reference Nos. 20030325-136 and 20030325-201) Copy: Supervisor McGoldrick (7)

From Office of Contract Administration, submitting notice that the department did not incur any costs due to the anti-war protest. (Reference No 20030325-060) Copy: Supervisor Hall (8)

From Board of Appeals, submitting a list of risk management procedures practiced by the Board of Appeals. (Reference Nos. 20030325-170 and 20030251) Copy: Supervisor McGoldrick (9)

From Fire Department, regarding risk management procedures practiced by the Department. (Reference No. 20030325-168) Copy: Supervisor McGoldrick (10)

From Fire Department, submitting itemized list of costs incurred as a result of the anti-war protests the week of March 18, 2003. (Reference No. 2003025-038) Copy: Supervisors Hall, Sandoval (11)

From Emergency Communications Department, regarding risk management procedures practiced by the Department. (Reference No. 20030325-141) Copy: Supervisor McGoldrick (12)

From Emergency Communications Department, submitting request for release of reserved funds for Power Savers small business energy efficient lighting program. Copy: Finance and Audits Committee (13)

From SF Environment, regarding risk management procedures practiced by the Department. (Reference Nos. 20030325-156 and 20030325-091) Copy: Supervisor McGoldrick (14)

From Department of Child Support Services, regarding risk management procedures practiced by the Department. (Reference Nos. 20030325-155) Copy: Supervisor McGoldrick (15)

From Department of Child Support Services, regarding risk management procedures practiced by the Department. (Reference No. 20030325-025) Copy: Supervisor McGoldrick (16)

From Department of Human Resources, regarding risk management procedures practiced by the Department. (Reference No. 20030325-149) Copy: Supervisor McGoldrick (17)

From Muni, submitting overtime justification report pursuant to Administrative Code Section 18.13-1. (18)

From Police Department, regarding risk management procedures practiced by the Department. (Reference Nos. 20030325-106 and 20030325-171) Copy: Supervisor McGoldrick (19)

From Department of Public Works, submitting overtime justification report pursuant to Administrative Code Section 18.13-1. (20)

From Port of San Francisco, submitting an itemized list of costs incurred by the department as a result of the recent anti-war protest. (Reference No. 20030325-051) Copy: Supervisor Hall (21)

From Office of the Public Defender, submitting list of risk management procedures practiced by the Office of the Public Defender. (Reference Nos. 20030325-097) Copy: Supervisor McGoldrick (22)

From Redevelopment Agency, submitting notice that the Redevelopment Agency did not incur any cost as a result of the anti war protest. (Reference No. 20030325-043) Copy: Supervisor Hall (23)

From Redevelopment Agency, submitting list of risk management procedures practiced by the Redevelopment Agency. (Reference Nos. 20030325-108 and 20030325-173) Copy: Supervisor McGoldrick (24)

From Residential Rent Stabilization and Arbitration Board, submitting annual report on eviction notices in San Francisco. Copy: Each Supervisor (25)

From Department of Telecommunications and Information Services, submitting notice that the department did not incur any cost as a result of the anti-war protests. (Reference No. 20030325-058) Copy: Supervisor Hall (26)

From Department of Administrative Services, regarding risk management procedures practiced by the Department of Administrative Services. (Reference Nos. 20030325-112, 20030325-113, 20030325-177, 20030325-178) Copy: Supervisor McGoldrick (27)

From Eiming Jung, submitting request for liquor license for the "111 Minna Street Gallery" located at 111 Minna Street. (28)

From Morrison & Foerster LLP, submitting information regarding appeal of property located at 1168 Folsom Street, including proposed findings that the Board could adopt if it chooses to uphold the appeal by George Hauser. (29)

From Morrison & Foerster LLP, submitting revised findings regarding the Board's review of the Negative Declaration and other CEQA findings for property located at 1168 Folsom Street. (30)

From Jeff Campbell, submitting request for a new Type 42, On-Sale Beer & Wine Public Premise license for "Whole Foods" located at 1765 California Street. (31)

From James Chaffee, submitting press release regarding alleged misuse of library funds. (32)

From Office of the Treasurer & Tax Collector, submitting list of risk management practices of the Office of the Treasurer & Tax Collector. (Reference Nos. 2030325-088 and 20030325-153) Copy:

Supervisor McGoldrick (33)

From Police Department, submitting press release regarding memorial ceremony honoring Officer Jon Cook on May 12 at 2:00 p.m. in the lobby of the Hall of Justice at 850 Bryant Street. (34)

From Reuben & Alter LLP, submitting brief in opposition to appeal of Conditional Use Authorization for residential project at 2690 Harrison Street, aka 3000 23rd Street. File 030654 (35)

From Muni, submitting list of risk management practices at the Public Transportation Department (Muni). (Reference Nos. 20030325-150, 20030325-085 and 20030325-104) Copy: Supervisor McGoldrick (36)

From Comcast Cable Communications, Inc., submitting programming adjustments scheduled for May 2003. (37)

From Comcast Cable Communications, Inc., submitting an update on the transition of AT&T Broadband Internet customers' e-mail addresses. (38)

From Office of the Controller, regarding proposed Charter amendment to establish a Small Business Commission. (39)

From Employees' Retirement System, regarding risk management procedures practiced by the Employees' Retirement System. (Reference Nos. 20030325-183 and 20030325-118) Copy: Supervisor McGoldrick (40)

From Foster Enterprises, submitting copy of letter from Barnes, Mosher, Whitehurst, Lauter & Partners regarding notice to vacate premises at 10 United Nations Plaza as of May 1, 2003 due to the deplorable conditions which continue unabated at 10 United Nations Plaza. File 030629, Copy: Each Supervisor (41)

From concerned citizens, submitting support for proposed redesign plan for the United Nations Plaza. File 030629, Copy: Each Supervisor (42)

From Port of San Francisco, submitting list of risk management procedures practiced by the Port of San Francisco. (Reference Nos. 20030325-181, 20030325-116) Copy: Each Supervisor (43)

From Department of Human Services, submitting list of risk management procedures practiced by the Department of Human Services. (Reference Nos. 20030325-193, 20030325-128) Copy: Supervisor McGoldrick (44)

From Clerk of the Board, regarding Resolution 249-03, the CEDAW Gender Analysis for Limited English Speakers Ordinance. File 030530, Copy: Each Supervisor (45)

From Juvenile Probation Department, submitting notice that the department did not incur any costs of a result of the anti-war protest the week of March 16, 2003. (Reference No. 20030325-024) Copy: Supervisor Hall (46)

From Department of Telecommunications and Information Services, submitting notice that the department did not incur any costs of a result of the anti-war protest the week of March 16, 2003. (Reference No. 20030325-058) Copy: Supervisor Hall (47)

From Ethics Commission, submitting first quarter Summary of Earnings and Expenses of Lobbyist registered with the City during the period of January 1 through March 31, 2003. Copy: Each Supervisor (48)

From AT&T Wireless Services Inc., submitting copy of letter sent to California Public Utilities

Commission that AT&T Wireless Services Inc. has obtained all requisite land use approvals to install three cellular antennas on an existing Clock tower at 851 Beach Street. (49)

From Coalition for SF Neighborhoods, submitting request that the Planning Commission continue proposed legislation regarding the Housing Element of the General Plan for at least 60 days. Copy: Each Supervisor (50)

From UCSF, submitting notice of public hearing (at various locations) regarding planning efforts so far on the potential sites and scenarios for new hospital facilities. Copy: Each Supervisor (51)

From SF Housing Action Coalition, submitting support for proposed housing at 1168 Folsom Street. (52)

From Office of the City Attorney, submitting City Attorney monthly report for March 2003. (53)

From Department on the Status of Women, submitting notice of public hearing on May 8, 2003 at the Women's Building to release report entitled Girls in San Francisco, Benchmarks for the Future. (54)

From Juvenile Probation Department, submitting notice that the department incurred no cost as a result of the anti-war protest the week of March 16, 2003. (Reference No. 20030325-024) Copy: Supervisor Hall (55)

From Juvenile Probation Department, regarding risk management procedures practiced at the Juvenile Probation Department. (Reference No. 20030325-154) Copy: Supervisor McGoldrick (56)

From Verizon Wireless, submitting notification letter for a CPUC Cell Site for GTE Mobilnet of California at 1500 Market Street. (57)

From Department of Human Resources, submitting quarterly report of economic grievance settlements approved pursuant to Section 10.25-12 of the Administrative Code. (58)

From Ethics Commission, concerning the impact of the proposed budget cuts for fiscal year 2003-04 (CEDAW Gender Analysis). File 030530 (59)

From Assemblyman Mark Leno, regarding passage of AB 1187. Copy: Each Supervisor (60)

From Office of the Treasurer, submitting report on the Cash Differences and Overages Fund for the period ending April 30, 2003. (61)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance establishing the Jackson Square Special Use District. Copy: Each Supervisor (62)

From SF Environment, submitting request for release of reserved funds for Power Savers small business energy efficient lighting program. (63)

From concerned citizens, submitting opposition to proposed amendments to the Rent Ordinance. File 030671, Copy: Each Supervisor (64)

From Jones Memorial United Methodist Church, submitting opposition to proposed budget cuts for various residential drug treatment programs (including Liberation House), previously and currently under contract; and which serve the needs of a specifically identified population of prisoners, released on parole from the San Francisco County Jails. Copy: Budget Committee (65)

From Chinese Consolidated Women's Association, submitting invitation to the Board of Supervisors to the fifth annual "Model Mothers' Day Banquet" on Saturday, May 10, 2003 at 6:30 p.m. at the

Meriwa Restaurant, located at 728 Pacific Avenue. Copy: Each Supervisor (66)

From Chief Medical Examiner, concerning the impact of the proposed budget cuts for fiscal year 2003-04 (CEDAW Gender Analysis). File 030530 (67)

From concerned citizens, submitting opposition to the proposed Jackson Street Rezoning Ordinance. File 030040 (68)

From Department of Child Support Services, concerning the impact of the proposed budget cuts for fiscal year 2003-04 (CEDAW Gender Analysis). File 030530, Copy: Each Supervisor (69)

From Department of Human Resources, regarding risk management procedures practiced by the Department. (Reference No. 20030325-149) Copy: Supervisor McGoldrick (70)

From concerned citizens, submitting opposition to any budget cuts to mental health facilities in San Francisco. Copy: Budget Committee (71)

From Adult Probation Department, regarding risk management procedures practiced by the Department. (Reference No. 20030325-164) Copy: Supervisor McGoldrick (72)

From the Urban Counties Caucus, submitting legislative update for April 28, 29 and May 1, 2003. (73)

From Bill Quan, concerning the budget crisis in the City and County of San Francisco. Copy: Each Supervisor (74)

APPOINTMENTS BY THE MAYOR

Civil Service Commission

Thomas Ng

Taxi Commission

Min Paek

ADJOURNMENT

7
3
0/03

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

MAY 15 2003

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 20, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 15, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendation of the City Services Committees

Present: Supervisors Dufty, Ma, Newsom

1. 030535 [State Grant for Enforcing Proper Disposal of Waste Tires]
Supervisor Dufty

Resolution authorizing the Department of the Environment to apply for, accept and expend a grant in the amount of \$189,938 from the California Integrated Waste Management Board for enforcing proper disposal of waste tires.
(Environment)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy

2. 030598 [Settlement of Claim]
Resolution approving the settlement of the unlitigated claim filed by Farmers Insurance Company as subrogee of Yuk Wah Shung against San Francisco; claim was filed on January 21, 2003.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030596 [Settlement of Lawsuit]
Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$40,000.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Duffy, Gonzalez

4. 030744 [Appointment]
Resolution appointing Ancel Martinez, term ending date to be determined, to the Pedestrian Safety Advisory Committee.
Ancel Martinez, new position, seat 8, must be a representative from a child advocate or school support organization for a two-year term (ending date to be determined).

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

5. 030655 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
Question: Shall this Motion be ADOPTED?
6. 030656 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
Question: Shall this Motion be ADOPTED?
7. 030657 [Findings - 2690 Harrison Street (aka 3000 23rd Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
Question: Shall this Motion be ADOPTED?
8. 030658 [Environmental Review]
Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street).
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
Question: Shall this Motion be ADOPTED?

Recommendation from the Rules Committee

Present: Supervisors Hall, Dufty

9. 020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]
Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom
Charter amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.
(Fiscal impact.)
- 7/15/2002, CONTINUED. Continued to July 22, 2002.
7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
7/22/2002, RE-REFERRED to Rules and Audits Committee.
- 3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.
4/29/2003, CONTINUED. Continued to May 6, 2003
5/6/2003, CONTINUED. Continued to May 20, 2003
Supervisor Newsom requested to be added as a co-sponsor.
Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

10. 030565 [MOU - Supervising Probation Officers, Local 3]
Mayor, Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3 (for Supervising Probation Officers) to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
11. 030566 [MOU - Operating Engineers, Local 3]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers, Local 3, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

12. 030567 [MOU - Plasterers and Shophands, Local 66]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Plasterers and Shophands, Local 66, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
13. 030568 [MOU - Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3, and Hod Carriers, Local 36, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
14. 030569 [MOU - Federation of Professional and Technical Engineers, Local 21]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
15. 030570 [MOU - Deputy Sheriffs' Association]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Sheriffs' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

16. 030571 [Unrepresented Employees]
Mayor, Supervisors Daly, Maxwell, Dufty
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2003.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
17. 030572 [MOU - MEA]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
18. 030709 [MOU - Transport Workers Union, Local 250-A (7410)]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A (7410), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
19. 030710 [MOU - Building Inspectors' Association (for Class 6334, Chief Building Inspector)]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6334, Chief Building Inspector) to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
20. 030711 [MOU - Sheet Metal Workers International Union, Local 104]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

21. 030712 **[MOU - (I.A.T.S.E.), Local 16]**
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees (I.A.T.S.E.), Local 16, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be **FINALLY PASSED**?
22. 030713 **[MOU - Carpenters, Local 22]**
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Carpenters, Local 22, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be **FINALLY PASSED**?
23. 030715 **[MOU - Pile Drivers, Divers, Wharf and Dock Builders, Local 34]**
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Pile Drivers, Divers, Wharf and Dock Builders, Local 34, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be **FINALLY PASSED**?
24. 030717 **[MOU - Ironworkers, Local 377]**
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Ironworkers, Local 377, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be **FINALLY PASSED**?
25. 030718 **[MOU - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be **FINALLY PASSED**?

26. 030719 [MOU - Stationary Engineers, Local 39]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Stationary Engineers, Local 39, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
27. 030720 [MOU - Roofers, Local 40]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Roofers, Local 40, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
28. 030721 [MOU - Painter's Local Union No. 4]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Painter's Local Union No. 4, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
29. 030722 [MOU - Cement Masons, Local 580]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Cement Masons, Local 580, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
30. 030724 [MOU - International Brotherhood of Electrical Workers, Local 6]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

31. 030725 [MOU - Glaziers, Architectural Metal and Glass Workers Union, Local 718]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers Union, Local 718, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
32. 030727 [MOU - Teamsters, Local 856]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
33. 030731 [MOU - Teamsters, Local 350]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 350, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
34. 030732 [MOU - Transport Workers Union, Local 250-A Multi-Unit]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 250-A Multi-Unit, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
35. 030733 [MOU - Transport Workers Union, Local 200 (SEAM)]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

36. 030734 [MOU - Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector)]
Supervisors Daly, Maxwell, Dufty
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Building Inspectors' Association (for Class 6331, Building Inspector and Class 6333, Senior Building Inspector) to be effective July 1, 2003 through June 30, 2005.
(Mayor)

5/13/2003, PASSED ON FIRST READING. Supervisor Dufty requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Maxwell, Gonzalez

37. 030623 [Amending Section 106 of the San Francisco Fire Code to Increase Fees For Services]
Mayor, Supervisor Daly
Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for Fire Department services, to become operative on its effective date or on July 1, 2003 whichever is later.
(Mayor)

5/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

38. 030624 [Setting fees for emergency medical services provided by the Fire Department, granting authority to Fire Department to bill for such costs, and setting forth procedures]
Mayor, Supervisor Daly
Ordinance amending San Francisco Health Code by repealing Section 117 as obsolete; amending San Francisco Health Code Sections 119, 120, 123, 124.1 and 124.5 to: (1) delete reference to Section 117 and add reference to Sections 128 and 128.1, (2) authorize the San Francisco Fire Department to bill for fees for emergency medical services, (3) authorize the San Francisco Fire Department to investigate the ability of patients to pay for the costs of emergency medical services, (4) include the San Francisco Fire Department as a Department for which it is a crime to conceal the ability to pay, (5) include reference to the San Francisco Fire Department in section regarding prima facie evidence of reasonableness of the fees, and (6) provide for a lien on third-party proceeds for costs of San Francisco Fire Department emergency medical services; and amend San Francisco Health Code by adding Section 128.1 to set fees for emergency medical services and supplies provided by the San Francisco Fire Department and to provide for annual increase in fees based on Medical Consumer Price Index.
(Mayor)

5/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

39. 030625 [Increasing the Alemany Flea Market Daily Stall Fee]
Mayor, Supervisor Daly
Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from \$30 per stall to \$45 per stall.
(Mayor)
(No Public Benefit Recipient.)

5/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
40. 030626 [Recreation and Parks - Fees]
Mayor, Supervisor Daly
Ordinance making environmental findings and amending the San Francisco Park Code by amending Section 12.08 to increase parking charges on Recreation and Park property; amending Section 12.09 to increase the fees for the carousel; amending Section 12.15 to increase the fees for day camps; adding Section 12.29 to increase the fees for use of the photography center, adding Section 12.30 to increase the fees for participation in the latch key program, adding Section 12.31 requiring field trip reimbursements, adding Section 12.32 to increase the fee for resident golf cards, and adding Section 12.33 to increase fees for golf cart rental and driving range balls.
(Mayor)

5/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
41. 030627 [Treasurer's charge for returned checks]
Mayor, Supervisor Daly
Ordinance amending Administrative Code Section 10.13-1, to provide that the Treasurer may charge up to \$35.00 for each check returned to the City without payment, based upon the actual costs as determined by the Controller.
(Mayor)

5/13/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval, McGoldrick

42. 030250 [Increase Lobbyist Fees and Late Filing Fines]
Supervisors Peskin, Daly
Ordinance making environmental findings and amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from \$300.00 to \$500.00; client fees from \$50.00 to \$75.00; and late filing fines from \$25.00 per day to \$50.00 per day.
(Ethics Commission)

5/13/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
5/13/2003, PASSED ON FIRST READING AS AMENDED. Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

43. 021771 [Permit Required for Construction of an Impervious Surface in Front Yard]
Supervisors Sandoval, Maxwell

Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to \$500; amending Section 110, Table 1-F to establish the permit fee. (1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

5/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Ammiano

44. 030510 [Mission Bay Park P8 Bank Stabilization - at the west end of the China Basin Channel]
Ordinance accepting the irrevocable offer for the Acquisition Facilities for Park P8 Bank Stabilization; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,026; and authorizing official acts in connection with this ordinance. (Public Works Department)
(No Public Benefit Recipient;DPW Order No. 174,026.)

5/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee "Without Recommendation"

Present: Supervisors McGoldrick, Maxwell, Ammiano

45. 030629 [United Nations Plaza]
Supervisor Daly

Resolution accepting the final report of the U.N. Plaza Working Groups, urging that the Art Commission, Planning Commission, DPW, Mayor's Office and BART to act on the report.

5/6/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

5/6/2003, CONTINUED AS AMENDED. Continued to May 20, 2003

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty

46. 030703 [Settlement of Lawsuit - Sherri Cytanovich]
Ordinance authorizing settlement of the lawsuit filed by Sherri Cytanovich against the City and County of San Francisco for \$100,000; the lawsuit was filed on December 8, 2001 in San Francisco Superior Court, Case No. 401-091; entitled Sherri Cytanovich, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

5/13/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

47. 030628 [Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]
Mayor, Supervisor Daly
Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 030803 [Appropriation - \$6,000,000 for the Public Education Programs]
Supervisors Daly, Ma
Ordinance appropriating \$2,000,000 of Delinquent Payroll Tax Revenue and \$4,000,000 from the State Revenue Stabilization Reserve for a total of \$6,000,000 for public education programs for fiscal year 2002-03.
(Supervisors Peskin and Maxwell dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Ma

49. 030789 **[Children and Families Commission Annual Budget, FY 2003-04]**
Resolution accepting the Annual Budget of the Children and Families Commission of the City and County of San Francisco for fiscal year 2003-2004.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Newsom

50. 030541 **[Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment.
(Public Works Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 030027 **[Liquor License Transfer, 725 Folsom Street]**
Resolution disapproving the request for the transfer of a Type 21 off-sale general alcoholic beverage control license from 50 3rd Street to 725 Folsom Street (District 6), to Zain Assghayer dba "Museum Parc Market", and determining that it will not serve the convenience of the people of the City and County of San Francisco; in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

52. 030537 **[Research on club-drugs and HIV risk behavior in high-risk men]**
Supervisors Dufty, Newsom
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPHAIDS) to accept retroactively and expend a grant in the amount of \$159,973 from the National Institute on Drug Abuse (NIDA) for research on club-drugs and HIV risk behavior in high-risk men and to enter into an agreement for the use of these funds; for the period of March 1, 2003 to February 29, 2004.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

53. 030643 [Street Vacation for Metro East Project]
Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance.
(Real Estate Department)
(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty

54. 030684 [Board of Supervisors/Clerk of the Board's Annual Budget]
Supervisor Daly
Motion adding Rules 6.23 and 6.24 to the Rules of Order of the Board of Supervisors to provide a process for review and approval of the Board of Supervisors/Clerk of the Board's annual budget prior to submission to the Mayor.

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

55. 030704 [Public Hearing - Appeal, Conditional Use, 1017 Ocean Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16558 dated March 27, 2003 approving a conditional use authorization, Case No. 2002.1231C, to install a total of three (3) panel antennas and related equipment at an existing three-story, multi-use structure (Commercial/Residential) as part of Verizon's wireless telecommunications network within a NC-2 (Small Scale Neighborhood Commercial) Zoning District, and within a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues; Lot 041, in Assessor's Block 6945. (Appeal filed April 24, 2003; categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 030705, 030706, 030707; District 11.)

Action: _____

(Only one of the following two motions should be adopted.)**56. 030705 [Appeal, Conditional Use - 1017 Ocean Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

57. 030706 [Appeal, Conditional Use - 1017 Ocean Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

58. 030707 [Findings - 1017 Ocean Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be ADOPTED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, May 14, 2003. The Chair intends to request the Committee to send the following item to the Board as a committee report.

From the Rules Committee

59. 030716 **[Confirming the appointment of Sue Bierman to the San Francisco Port Commission]**
Resolution confirming the appointment of Sue Bierman to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
60. 030723 **[Confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission]**
Resolution confirming the appointment of Michela Alioto-Pier to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2004.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
61. 030728 **[Confirming the appointment of Wilfred Hsu to the San Francisco Port Commission]**
Resolution confirming the appointment of Wilfred Hsu to the San Francisco Port Commission, to serve the remaining four-year term, ending May 1, 2006.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
62. 030685 **[Appointment - Director of Citizen Complaints]**
Mayor
Resolution confirming the appointment of Kevin Allen to the position of Director of Citizen Complaints (OCC).
(Mayor)
- Question: Shall this Resolution be ADOPTED?

63. 030347 [Reauthorizing the Minority/Women/Local Business Utilization Ordinance]**Supervisors Ma, Newsom, Dufty, Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to continue to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to remedy identified discrimination against certain MBE/WBE subcontractors in City Contracting by requiring City Prime Contractors to use good faith efforts to provide MBE/WBEs with opportunities to compete for City subcontracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; (4) to increase the economic thresholds under which disadvantaged professional service, architectural and engineering, specialty construction, and supplier firms can qualify for the remedial programs of this ordinance; (5) to preclude businesses owned by full time City employees and officers from becoming certified as an MBE, WBE or LBE; and (6) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.

4/8/2003, SUBSTITUTED. Supervisor Ma submitted a substitute draft ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

64. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

65. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Recommendation of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

66. 030328 **[Settlement of Unlitigated Claim]**
Supervisor Hall

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

5/6/2003, CONTINUED. Continued to May 13, 2003

5/13/2003, CONTINUED. Continued to May 20, 2003

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Unlitigated Claim

67. 030825 **[Closed Session - Unlitigated Claim Filed by the City]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing unlitigated claim filed by the City against D. Mitchell Concessions, Inc. alleging that Mitchell is in default on its contractual obligations at San Francisco International Airport.

Government Code Section 54956.9(b)(1) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending unlitigated claim listed below.

San Francisco v. D. Mitchell Concessions, Inc.

Unlitigated Claim

Date Initiated - 7/02

(Clerk of the Board)

5/13/2003, CONTINUED. Continued to May 20, 2003

Question: Shall this Motion be ADOPTED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

CONFERENCE WITH CITY ATTORNEY - Existing Litigation City as Defendant (Respondent)

68. 030873 [Closed Session - Existing Litigation - Care Not Cash Initiative, City as Defendant (Respondent)]

Supervisor Gonzalez

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the petitioners challenge the validity of Proposition N, "Care Not Cash Initiative," which was approved by the voters of San Francisco at the November 5, 2002, consolidated general election in San Francisco.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit below.

Pettye & Roman v. San Francisco, et al.
S.F. Superior Court No. CPF 02-502076
Date Filed: November 26, 2002.

Question: Shall this Motion be ADOPTED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 69 through 83

69. 030846 [Glocal Youth Parliament in Rome, Italy]
Motion authorizing the attendance of two members of the San Francisco Youth Commission at the May 22-26, 2003, Glocal Youth Parliament in Rome, Italy.
(Clerk of the Board)
- 5/12/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
70. 030847 [Designating Fire Stations as Permissible Locations to Safely Surrender a Child 72 Hours Old or Less Without Criminal Prosecution for Child Abandonment]
Supervisor Hall
Resolution designating San Francisco Fire Stations as permissible locations for a parent or any adult with legal custody of a child to safely surrender that child without criminal prosecution for child abandonment.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
71. 030850 [Board Off-site Meetings]
Supervisor Maxwell
Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 16, 2003 at 4:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
72. 030874 [Health Service Board]
Supervisor Daly
Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Health Service System on a priority basis.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
73. 030875 [Commend Armando Miranda]
Supervisor Gonzalez
Resolution commending Armando Miranda for his extraordinarily considerate, compassionate and thorough work as deputy public defender for the San Francisco Drug Court.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

74. 030876 **[Commend Francis Scott Key Elementary School]**
Supervisor Ma
Resolution commending Francis Scott Key Elementary School's achievement as a recipient of the 2003 No Child Left Behind Title I Achieving Schools Award.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
75. 030877 **[PUC Project Labor Agreement]**
Supervisor Maxwell
Resolution urging the San Francisco Public Utilities Commission to include social justice components in its Project Labor Agreement for the Hetch Hetchy Water System Capital Improvement Program.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
76. 030878 **[Asthma Training]**
Supervisors Maxwell, Dufty, Ma
Resolution to support an Initiative for Asthma Training and Posting of Asthma Emergency Protocols at City-Funded Childcare Facilities.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
77. 030879 **[Senate Bill 60]**
Supervisor McGoldrick
Resolution in support of SB 60 regarding the use of federal tax ID numbers instead of social security numbers when applying for driver's licenses.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
78. 030891 **[Emergency Medical Services Week]**
Supervisors Newsom, Dufty
Resolution commending all providers of Emergency Medical Services for their contributions to the citizens and visitors of San Francisco and proclaiming the week of May 18-24, 2003 as Emergency Medical Services Week in the City and County of San Francisco.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

79. 030892 **[Clean Energy Exchange with India]**
Supervisors Peskin, Daly, Ma
Resolution supporting efforts to curb global warming and to develop partnerships with communities in India that allow for the sharing of information on emission reduction programs.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
80. 030893 **[Union Janitors]**
Supervisor Sandoval
Resolution urging the University of California San Francisco (UCSF) to make janitorial custodians in-house employees and corporate citizens of the City and County of San Francisco to utilize union janitorial services.
- 5/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
81. 030842 **[Final Map for an 11 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 555 Irving Street, a Mixed Use Condominium Project, being a subdivision of Lot 35 Assessor's Block No. 1761, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,113; District 5.)
- 5/9/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
82. 030843 **[Final Map for a 6 Unit Residential Condominium Project]**
Motion approving Final Map of 135 Carl Street, #1 - #6, a Residential Condominium Project, being a subdivision of Lot 20 Assessor's Block No. 1272, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,104; District 5.)
- 5/9/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?
83. 030844 **[Final Map for an 18 Unit Residential Condominium Project]**
Motion approving Final Map of 3490 California Street, a Residential Condominium Project, being a subdivision of Lot 65 in Assessor's Block No. 1019, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,094; District 2.)
- 5/9/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be ADOPTED?

84. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCE

030837 [Settlement of Lawsuits - Tammy Haygood]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment within two years.

(City Attorney)

(Public Benefit Recipient.)

5/5/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

- 030822 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the Lease of approximately 7,725 square feet of space at 3801 3rd Street, suites 110, 210, 220 and 230 for the Department of Human Services.
(Real Estate Department)
(Public Benefit Recipient.)

5/6/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 030823 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the Lease of approximately 1,800 square feet of space at 3801 3rd Street, suite 205 for the Department of Human Services.
(Real Estate Department)
(Public Benefit Recipient.)

5/6/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 030824 **[Accept-Expend State Grant]**
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "Suppression of Drug Abuse in Schools Program."
(Police Department)
(No Public Benefit Recipient.)

5/6/2003, RECEIVED AND ASSIGNED to City Services Committee.
- 030880 **[Lease of Real Property]**
Resolution authorizing a lease renewal at 729 Filbert Street for the Department of Public Health.
(Real Estate Department)
(Public Benefit Recipient.)

5/9/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 030881 **[Lease of Real Property]**
Resolution authorizing a lease renewal at 2001 Van Ness Avenue/1700 Jackson Street for the Department of Public Health.
(Real Estate Department)
(Public Benefit Recipient.)

5/9/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030885 [2003 Neighborhood Recreation and Park Facilities General Obligation Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$20,960,000 City and County of San Francisco General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2003A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Mayor)

(No Public Benefit Recipient.)

5/12/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030895 [Petitions & Communications]

Petitions and Communications received from May 6, 2003 through May 12, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on May 20, 2003.

From concerned citizens, submitting opposition to proposed budget cuts to the Chinatown North Beach Day Treatment Program located at 729 Filbert Street. Copy: Budget Committee (1)

From Excelsior District Action Committee, submitting copy of letter requesting information under the "Brown Act" for the salaries of various employees of the Unified School District. (2)

From Office of the City Attorney, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 20030325-142) Copy: Supervisor McGoldrick (3)

From Department of Parking and Traffic, regarding the permanent restoration of Stop messages and crosswalks along Ocean Avenue between Ashton Street and Harold Avenue. (Reference No. 20030408-001) Copy: Supervisor Sandoval (4)

From Department of Building Inspection, concerning the impact of the proposed budget cuts for fiscal year 2003-04 (CEDAW Gender Analysis). File 030530 (5)

From concerned citizens, commenting on Judge Quidashay's decision. Copy: Each Supervisor (6)

From Abdalla Megahed, commenting on various topics. (7)

From Janie Collins, commending Abdalla Megahed for his work as a homeless advocate. (8)

Number not used. (9)

From Department of Parking and Traffic, regarding the Bid/RFP process for the awarding of management agreements for operation of parking garages in San Francisco. File 020663 (10)

From Office of the Controller, regarding proposed Charter amendment to establish a Small Business Commission. File 030426, Copy: Each Supervisor (11)

From concerned citizens, submitting opposition to the proposed Jackson Street Rezoning Ordinance. File 030040 (12)

From Fire Department, submitting notice of annual holding cell inspection relating to fire and life safety for Municipal Court/Holding Cells at 850 Bryant Street, Floors 1, 2 and 3. (13)

From Fire Department, submitting notice of annual holding cell inspection relating to fire and life safety for S.F. Youth Guidance Center/Juvenile Hall at 375 Woodside Avenue. (14)

From Office of the Controller, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference Nos. 20030325-098 and 20030325-163) Copy: Supervisor McGoldrick (15)

From various signatories, submitting Form 700 Statement of Economic Interests: Robert Eshelman (16)

From Lloyd Schloegel, submitting opposition to proposed fees for services provided by the City and County. (17)

From Office of the Sheriff submitting itemized list of costs incurred as a result of the anti-war

protest. (Reference No. 20030325-013) Copy: Supervisor Hall (18)

From Office of the Controller, Audits Division, submitting report concerning the concession audit of Guardino's Souvenir and Gift Shop, Inc. (19)

From Department of Telecommunications and Information Services, submitting an update on the Department's participation in the JUSTIS project. (Reference No. 2003018-008) Copy: Supervisor Newsom (20)

From Department of Telecommunications and Information Services, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 20030325-188) Copy: Supervisor McGoldrick (21)

From Office of the Controller, Audits Division, submitting report concerning the audit of the San Francisco Film Production Fund of the Film Commission. (22)

From Office of the Controller, submitting financial reports for the month of April 2003 showing fiscal year 2002-03 status and year-end figures for the prior year. (23)

From Chi Ski Club, submitting request for a congratulatory letter from the Board of Supervisors for the Club's 50th Anniversary. Copy: Each Supervisor (24)

From concerned citizens, submitting opposition to proposed ordinance that raises the minimum wage in San Francisco. Copy: Each Supervisor (25)

From UCSF, submitting notice of public meeting to discuss the UCSF's Public Science Project (PSP) on May 22 from 7:00 to 9:00 p.m. at UCSF's Genentech Hall Auditorium at 600 16th Street. (26)

From Office of the Controller, submitting cost estimates for each of the Memoranda of Understanding (MOUs) between the City and various employee organizations that were before the Budget Committee of May 5, 2003. (27)

From Office of the Controller, submitting report reviewing best practices for internal investigations and civilian review in other jurisdictions, including recent reforms enacted in Oakland and Los Angeles, as well as reforms proposed by the ACLU. (Reference No. 20030318-015) Copy: Supervisors Ammiano, McGoldrick (28)

From Office of the Treasurer, submitting computer printout detailing the City's investment portfolio as of April 30, 2003. (29)

From Marilyn Johnson, commenting on various budgetary items facing the City and County of San Francisco. Copy: Each Supervisor (30)

From Planning Department, submitting notice of public meeting regarding the Market and Octavia Streets Neighborhood Plan on May 13, 2003, from 6:00 to 8:00 p.m. at First Baptist Church, 22 Waller Street, Basement Meeting Room. Copy: Each Supervisor (31)

From concerned citizens, submitting their views on the latest redesign plan for UN Plaza. (32)

From Airport Director, regarding ordinance to rescind appropriation authority for the Airport Runway Configuration capital project and appropriate \$700,000 in fund balance for custodial services for the Airport Commission. File 030804, 2 letters, Copy: Supervisors Gonzalez, Sandoval, Peskin, Maxwell, Daly, McGoldrick, Ammiano, Ma (33)

From Tom Stanley, suggesting the Board of Supervisors remove the requirement that developers build off-street, on-site parking for smaller sites, freeze all off-street parking requirements and build

housing over shops on vacant sites. (34)

From Anthony Cicorio, suggesting something be done to stop UPS Trucks from double parking on City streets. (35)

From Emergency Communications Department, regarding current and planned activities to apply for the 2003 Homeland Security Grant awards for the current funding cycle. (36)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance regarding major exterior alterations for residential buildings. File 022030, Copy: Each Supervisor (37)

From Action for Animals, regarding animal markets and the SARS connection. (38)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

May 15, 2003

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Topic	File No.	Committee	Source	Legislation Introduced	30 Day Rule Expires
Charter Amendment (First Draft) Amend 2.113 Supervisors must hold a hearing 30 days before the deadline for submission of Ordinances and Declaration of Policy	030632	Rules Committee	Supervisor Newsom, Peskin	4/15/03	5/15/03
Amend SF Environment Code Resource Efficiency Requirements and Green Building Standards	030679	Rules Committee	Supervisor Ammiano	4/22/03	5/22/03
Charter Amendment Ethics Provisions	030681	Rules Committee	Supervisor Ammiano	4/22/03	5/22/03
Motion Ordering submitting of Ordinance authorizing Conflict of Interest Law Amendments	030682	Rules Committee	Supervisor Ammiano	4/22/203	5/22/03
Ordinance amending Municipal Elections Code	030652	Rules Committee	Elections Department	4/29/03	5/29/03
Ordinance authorizing DPT to issue City-Wide permits to exempt SFUSD itinerant teachers and designated school administrators.	030738	Land Use Committee	Supervisor Ammiano	4/29/03	5/29/03

Charter Amendment Commission on the Environment	030741	Rules Committee	Supervisor Maxwell	4/29/03	5/29/03
Charter Amendment amend Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030802	Rules Committee	Supervisor Hall	5/6/03	6/6/03
Charter Amendment Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030812	Rules Committee	Supervisor McGoldrick	5/6/03	6/6/03
Charter Amendment Ballot measures by the Board of Supervisor, four or more of its Members or the	030632	Rules Committee	Supervisors Newsom, Peskin	5/13/03	6/12/03
Charter Amendment Conflict of Interest Law	030682	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment District Offices for Board of Supervisors	030852	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Board of Supervisors Proceedings	030853	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03
Charter Amendment Controller as the City Services Auditor	030854	Rules Committee	Supervisor Hall	5/13/03	6/12/03
Charter Amendment Health Service System	030856	Rules Committee	Supervisor Peskin	5/13/03	6/12/03
Charter Amendment Early Retirement for employees identified for layoffs due to City's Fiscal crisis	030855	Rules Committee	Mayor	5/13/03	6/12/03
Charter Amendment Retirement benefits for Public Defenders, District Attorneys and Public Defender's Investigators	030857	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03

Charter Amendment Rainy Day (Economic Stabilization) Reserve for City Government and SFUSD	030858	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Police Commission; Office of Citizen's Complaint; Police Misconduct	030859	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Municipal Railway Rates	030864	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Police/Sheriff Merger	030865	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Establish an Elected Rent Board	030866	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Planning And Economic Department Commission	030867	Rules Committee	Supervisor Peskin	5/13/03	6/12/03

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

MAY 22 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Wednesday, May 28, 2003 9:00 AM

Special Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

Board Meeting Procedures

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

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In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Lobbyist Registration and Reporting Requirements

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ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 22, 2003 Meeting Minutes

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

UNFINISHED BUSINESS

Recommendation of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

1. 030347 [Reauthorizing the Minority/Women/Local Business Utilization Ordinance]
Supervisors Ma, Newsom, Dufty, Maxwell, Sandoval, Ammiano
Ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to continue to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to remedy identified discrimination against certain MBE/WBE subcontractors in City Contracting by requiring City Prime Contractors to use good faith efforts to provide MBE/WBEs with opportunities to compete for City subcontracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; (4) to increase the economic thresholds under which disadvantaged professional service, architectural and engineering, specialty construction, and supplier firms can qualify for the remedial programs of this ordinance; (5) to preclude businesses owned by full time City employees and officers from becoming certified as an MBE, WBE or LBE; and (6) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.

4/8/2003, SUBSTITUTED. Supervisor Ma submitted a substitute draft ordinance bearing same title.

5/20/2003, PASSED ON FIRST READING. Supervisors Sandoval and Ammiano requested to be added as co-sponsors. Item to be considered on the May 28, 2003 Special Board Meeting.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

2. 030804 [Appropriation - \$700,000 for the Airport custodial services]
Supervisors Sandoval, Daly, Gonzalez, McGoldrick, Peskin, Ammiano
Ordinance rescinding \$700,000 of unencumbered appropriation authority for the Airport Runway Configuration capital project and appropriating \$700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03.

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

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As Revised

May 22, 2003

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Topic	File No.	Committee	Source	Legislation Introduced	30 Day Rule Expires
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Charter Amendment amend Section 3.105 require Controller to access the City's maintenance of streets and delivery of other services.	030802	Rules Committee	Supervisor Hall	5/6/03	6/6/03
Charter Amendment Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030812	Rules Committee	Supervisor McGoldrick	5/20/03	6/20/03
Charter Amendment Ballot measures by the Board of Supervisor, four or more of its Members or the	030632	Rules Committee	Supervisors Newsom, Peskin	5/13/03	6/12/03

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Charter Amendment Planning And Economic Department Commission	030867	Rules Committee	Supervisor Peskin	5/13/03	6/12/03
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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAY 29 2003

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 3, 2003 10:00 AM

Special Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez, Co

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly
4:00 PM

Thursday
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Wednesday
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Monday
1:00 p.m.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

1. 030804 [Appropriation - \$700,000 for the Airport custodial services]
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Ordinance rescinding \$700,000 of unencumbered appropriation authority for the Airport Runway Configuration capital project and appropriating \$700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03.
(Fiscal impact.)

5/28/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. ROLL CALL FOR INTRODUCTIONS

3. PUBLIC COMMENT

OFF CALENDAR LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 13, 2003 through May 27, 2003, for reference by President to appropriate committee on June 3, 2003.

030652 [Amendments to the Municipal Elections Code]

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Sections 555, 560, 565, 570, 585, 830 and 930 to: Conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language.
(Elections Department)

4/15/2003, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2003.

5/13/2003, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.

5/13/2003, ASSIGNED UNDER 30 DAY RULE to Rules Committee.

030637 [Extending Redevelopment Agency's Times for Incurring and Repaying Debt]

Ordinance approving, for the redevelopment plans listed below, the elimination of the existing time limits in each plan for establishment of loans, advances and indebtedness: (1) the Western Addition Area A-2 Redevelopment Plan, (2) the Yerba Buena Center Redevelopment Plan, (3) the Rincon Point - South Beach Redevelopment Plan, and (4) the Embarcadero-Lower Market (Golden Gateway) Redevelopment Plan.
(Mayor)

5/2/03: Exempt from CEQA Non-physical exemption CEQA Guidelines Section 15060(c)(8) and Section 15378.

4/15/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

5/9/2003, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

5/9/2003, ASSIGNED to Finance and Audits Committee.

030652 [Amendments to the Municipal Elections Code]

Ordinance amending the Municipal Elections Code to amend Sections 110, 200, 250, 260, 300, 360, 370, 500, 510, 530, 535, 550, 590, 595, and 800, add Sections 225 and 270, and delete Sections 555, 560, 565, 570, 585, 830 and 930 to: Conform the Municipal Elections Code to recent changes in the Charter; change the deadlines for submission of materials for publication in the Voter Information Pamphlet; specify the public examination periods for each category of material submitted for publication in the Voter Information Pamphlet; modify the deadlines for delivery of the Voter Information Pamphlet prior to each general and special election; specify language for inclusion in the Voter Information Pamphlet concerning ballot measures which concern the same subject matter and which may have conflicting provisions; explicitly incorporate the State law that applies to local ballot designations; explicitly state the rules concerning ballot printing after the death of a candidate; impose a 100-word limit on bond measure statements; add definitions; correct outdated code references; codify departmental practice; and clarify ambiguous language.
(Elections Department)

4/15/2003, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/29/2003.

5/13/2003, SUBSTITUTED. City Attorney submitted a substitute ordinance bearing new title.

5/13/2003, ASSIGNED UNDER 30 DAY RULE to Rules Committee.

030909 [Street Artist Space Regulations]

Ordinance amending the San Francisco Police Code by amending Section 2405 to modify the street artist space regulations.
(Arts Commission)

5/16/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030905 [Settlement of Lawsuit - JMB Construction, Inc.]

Ordinance authorizing settlement of the lawsuit filed by JMB Construction, Inc., against the City and County of San Francisco, for \$200,000; the lawsuit was filed on June 10, 2002, in San Francisco Superior Court, Unlimited Jurisdiction, Case No. 408-928; entitled JMB Construction, Inc. v. City and County of San Francisco; other material terms of said settlement are: (1) The City reserves all rights to pursue claims against JMB for latent defects in the contract work, and JMB agrees to retain full responsibility for latent defects in the contract work; (2) All warranties under the contract and which are not yet expended shall remain in full force and effect; (3) The City shall retain responsibility for any future claims made by Union Pacific Railroad Company ("Union Pacific") arising from the contract, except that JMB shall retain full responsibility for any claims by Union Pacific arising from damage caused by JMB; (3) In consideration for the proposed settlement payment, JMB has agreed to dismiss the Action with prejudice in its entirety; and (4) the City and JMB each shall bear its own legal costs and fees arising from this action;
(Public Benefit Recipient.)

5/19/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 13, 2003 through May 27, 2003, for reference by President to appropriate committee on June 3, 2003.

030883 [Acceptance of an Easement]

Resolution authorizing the acceptance of an avigation easement by the City and County of San Francisco from Martin/Regis San Bruno Associates, L.P. for the development of the former United States Navy Site in the City of San Bruno, at no cost to the City and County of San Francisco.
(Real Estate Department)
(Public Benefit Recipient.)

5/13/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030890 [Lease Agreement with Imperial Parking]

Resolution approving lease agreement with Imperial Parking (U.S.), and the City and County of San Francisco operating by and through the San Francisco Port Commission to operate a surface parking lot at Seawall Lot 330, Embarcadero between Bryant and Beale Streets.
(Port)
(No Public Benefit Recipient.)

5/14/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030900 [Evaluating the non-name HIV reporting system in California]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$11,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2002 to June 30, 2003.

(Public Health Department)

(No Public Benefit Recipient.)

5/15/2003, RECEIVED AND ASSIGNED to City Services Committee.

030901 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$646,037 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement with Victim and Witness Assistance Program for the period of July 1, 2003 through June 30, 2004.

(District Attorney)

(No Public Benefit Recipient.)

5/16/2003, RECEIVED AND ASSIGNED to City Services Committee.

030902 [Accept-Expend State Grant]

Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$74,028 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2003 through June 30, 2004.

(District Attorney)

(No Public Benefit Recipient.)

5/16/2003, RECEIVED AND ASSIGNED to City Services Committee.

030903 [IHSS Provider Benefits Contract Approval – San Francisco IHSS Public Authority]

Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of health and dental benefits to IHSS Independent Providers for the period of July 1, 2003 to June 30, 2006, in the amount of \$51,890,907.

(District Attorney)

(No Public Benefit Recipient.)

5/19/2003, RECEIVED AND ASSIGNED to City Services Committee.

030904 [Child Care Services Contract Approval - Children's Council of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2003 to June 30, 2006, in the amount of \$104,579,925.

(No Public Benefit Recipient.)

5/19/2003, RECEIVED AND ASSIGNED to City Services Committee.

030963 [Petitions and Communications]

Petitions and Communications received from May 13, 2003 through May 27, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 3, 2003.

From Ray Wood, urging the Board of Supervisors to vote no on homeless issues. File 030871 (1)

From Mauricio Salazar, submitting support for the pending secondary unit legislation. (2)

From Luis Megid, commenting on the 2003 summer program fee increase at the Clarendon Elementary School. (3)

From Raymond Wong, submitting article regarding the Purple Heart postage stamps. (4)

From concerned citizens, submitting announcement regarding the San Francisco's traditional Memorial Day ceremony. (2 announcements) (5)

From Bill Schmid, concerning his unpleasant experience with Comcast. (6)

From Peter Bacon, commenting on the Juvenile Probation Department Budget. (7)

From concerned citizens, commenting on the General Assistance-In-kind Assistance ordinance, also known as Care Not Cash. Copy: Each Supervisor, File No. 030848, 22 letters. (8)

From various City Employees, submitting letters regarding the San Francisco Pension Fund. Approximately 900 letters (9)

From San Francisco Fire Department, regarding the release of reserves of \$161,138 in salaries and fringe for training officers. (10)

From Patrick WM. Connally, submitting letter regarding the budget issues and benefits for disable people. (11)

From Department of Public Works, reporting to the Supervisors' inquiry whether DPW would be able to assist the SFUSD in developing a waste audit and recycling strategy. (Reference No. 20030325-002) Copy: Supervisors Ammiano, Dufty (12)

From Department of Public Works, reporting the costs incurred by DPW as a result of protests. (Reference No. 20030325-050) Copy: Supervisor Hall (13)

From Police Department, regarding the Police Department's current or planned activities to apply for Homeland Security Grants during the current fiscal year. (Reference No. 20030408-004) Copy: Supervisor Newsom (14)

From R.R. Miller, suggesting City employees take a 10% reduction to balance the budget. (15)

From The Board of Appeals, submitting Findings of the Board of Appeals for the Appeal of 1168 Folsom Street. (16)

From concerned citizens, submitting support to end spendings on the SFO expansion project. File 030804, 39 letters, Copy: Each Supervisor (17)

From Department of Public Works, regarding Laguna Honda Hospital Replacement Program Valley Demolition & Mass Excavation Project. (Reference No. 20030422-017) Copy: Supervisor Newsom (18)

From Port of San Francisco, submitting report on the sale of portion of Lot 1 Assessor's Block 3771, also known as Seawall Lot 330. File No. 030371 (19)

From Joseph A. Contreras, regarding consensus worker vs. canvass popularity. (20)

From Department on the Status of Women, submitting letter regarding Board of Supervisors Resolution on CEDAW Gender Analysis for budget cuts. File No. 030530 (21)

From concerned citizen, commenting on the raising of parking fines. (22)

From Atienza, Eric, submitting letter of inquiry in regards to whether or not the Board of Supervisors has any approved or pending Ordinances about physical appearance discrimination. (23)

From US Army Corps of Engineers, submitting Public Notice regarding San Francisco Dry Dock. (24)

From concerned citizens, urging the Board of Supervisors to hold new hearings on Lisberger's research and compel UCSF to end experiments on animals. 4 letters (25)

From Ying Wing Ho, urging the Board of Supervisors to save the Community Health Center in Chinatown. (26)

From the Family of Henry Edward Bruce Watson, expressing thanks for the love, friendship and acts of kindness shown for their late brother and uncle. (27)

From Mark O'Connor, expressing his disappointment with the service on the 37-Corbett MUNI bus line. (28)

From Joan Holden, urging the Board of Supervisors to save the United Nations Plaza. File No. 030629 (29)

From concerned citizens, inviting the public to attend a peaceful assembly to commemorate the founding of the United Nations and to rekindle commitment to international law. (30)

From Department of Administrative Services, submitting report on Fleet Management. File 030315 (31)

From Office of the Controller, reporting on the concession audit of Sabella and LaTorre Sea Foods. (32)

From US Army Corps of Engineers, submitting Public Notice regarding Valero Refinery Maintenance Dredging. (33)

From Clerk of the Board of Supervisors, submitting the application of Robert Wood for appointment to City-Wide Alcoholism Advisory Board. (34)

From Port of San Francisco, regarding the Port's determination to issue Emergency Orders to demolish Wharf J-10 to protect health and safety. Copy: Supervisor Newsom (35)

From Urban Counties Caucus, submitting Legislative Update regarding the Governor's release of the May Revision to 2003-2004 Budget. (36)

From San Francisco Fire Department, submitting report of annual inspections of all detention facilities. (37)

From Taxicab Commission, submitting the Taxi Commission's Annual Report describing the

Commission's activities for the 2002 calendar year. (38)

From Youth Commission, regarding Skateboarding Task Force's support of proposed skate park at Portrero del So. (39)

From Comcast, submitting letter to various departments ensuring the office of the DTIS remains informed of Comcast's rebuild schedule and launch dates in the CCSF. (40)

From Verizon Wireless, submitting notification letter for Market & 8th of GTE Mobilnet of California Limited Partnership, San Francisco CA MSA. (41)

From San Francisco Branch NAACP, regarding the 49th Anniversary of Brown v. Board of Education and the Need for Tolerance. Copy: Each Supervisor (42)

From California Public Utilities Commission, submitting Notice of Filing of Application for Electric Revenue Increase and Gas Revenue Decrease: Annual Earnings Assessment. (43)

From Mirna Escobar, submitting letters and documents regarding Willowbrooks Apartments. (44)

From Department of Administrative Services, reporting that the department sent one consolidated response regarding past due notices on April 30, 2003 covering all of its divisions, including reference no. 20030325-049, reference no. 20030325-056, reference no. 20030325-0366. (45)

From Department of Administrative Services, reporting that the costs incurred by the department as a result of local protests against the war in Iraq consisted of two 2708 Custodians for 8 hours each, total costs of approximately \$400. (Reference No. 20030325-047) Copy: Supervisor Hall (46)

From San Francisco International Airport, concerning the Airfield Development Program. (47)

From San Francisco Fire Department, submitting report on annual inspections of all detention facilities. (48)

From Peter Warfield, submitting article regarding Library violation of Sunshine laws of San Francisco. Copy: Each Supervisor (49)

From City College of San Francisco, submitting an apology letter to Mr. Christiansen on his experience in the Learning Assistance Center. (50)

From Peter Warfield, regarding Library Commission Tables City Librarian Oversight Plan. Copy: Each Supervisor (51)

From California Department of Fish and Game, submitting invitation to attend a Public Information Meeting that will be held on Thursday, June 5, 2003 at the Bay Model in Sausalito, CA. (52)

From Department of Public Health, notifying the Board of Supervisors that DPH has requested a waiver to contract with Rite Aid Corporation to provide Community Pharmaceutical Services in neighborhoods near where DPH clients reside. (53)

From Elections Commission, reporting the Elections Commissions unanimously voted to adopt the enclose resolution urging the Board of Supervisors to oppose passage of Assembly Bill 1531 and Senate Bill 430. (54)

From Golden Gate Park Concourse Authority, submitting quarterly report to the Recreation and Park Commission of the Golden Gate Park Concourse Authority for the First Quarter of 2003. (55)

From concerned citizens, commenting on the proposed increase in Supervisor's salaries. 11 letters,

Copy: Each Supervisor (56)

From various signators, submitting Form 700 Statement of Economic Interests. (57)

From Mia Mattis, submitting her concern with the appearance of the city. (58)

From San Francisco International Airport, regarding bond rating action by Fitch Ratings. Copy: Each Supervisor (59)

From Abdalla Megahed, requesting members of the Board of Supervisors to continue helping the homeless people in San Francisco. Copy: Each Supervisor (60)

From Department of Building Inspection, announcing the department, in cooperation with the Mayor's Office of Emergency Services, is sponsoring a free workshop presented by the Governor's Office of Emergency Services to explain State and FEMA requirements for reimbursement of post-disaster expenses. (61)

From Coalition for San Francisco Neighborhoods, regarding resolution concerning Restoration of SFGTV Broadcasting and Webcast Archiving of Planning Commission Meetings and SFGTV Policies and Practices. (62)

From San Francisco Civil Grand Jury, submitting advance copies of three final reports. Copy: Each Supervisor (63)

From Megan Condit, urging the members of the Board of Supervisors to support Supervisor Daly and Supervisor Ma's emergency school funding proposal. (64)

From Director of Cultural Affairs, reporting that the department exercises routine, well-established procedures for risk management and prevention at the city's four neighborhood cultural facilities and during fabrication and installation of new public art works. (Reference No. 20030325-167) Copy: Supervisor McGoldrick (65)

From Clerk of the Board of Supervisors, submitting Appointments by the Mayor to the members of the Board of Supervisors. (66)

From Department of Administrative Services, concerning procedures governing risk management for departments. (Reference Nos. 20030325-114, 20030325-121, 20030325-131, 20030325-135, 20030325-179, 20030325-186, 20030325-196, 20030325-200) (67)

From Office of Contract Administration, concerning procedures governing risk management for the department. (Reference Nos. 20030325-112, 20030325-113, 20030325-177, 20030325-178) (68)

From California Academy of Sciences, concerning procedures governing risk management for the department. (Reference No. 20030325) (69)

From Municipal Transportation Agency, reporting on various rail projects. Copy: Supervisor Newsom (Reference No. 20030422-019) (70)

From Human Rights Commission, concerning procedures governing risk management for the department. (Reference No. 20030325-159) (71)

From Brian Browne, commenting on a party living in 1305 Dana Building. (72)

From Andrea O'Leary, concerning the City Services Committee hearing on May 15, 2003 ended up not being about what was listed as the agenda item. (73)

From District Attorney, submitting report of an update on the participation on the JUSTIS project.
(Reference No. 20030318-003) (74)

030964 [Petitions and Communications]

Petitions and Communications received from May 13, 2003 through May 27, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 3, 2003. Part 2

From San Francisco Redevelopment Agency, reporting on housing development projects at various locations. Copy: Supervisor Newsom (Reference No. 20030422-002) (75)

From San Francisco Redevelopment Agency, reporting on redevelopment project and survey area, in addition to the Redevelopment Agency's Low-and-Moderate-Income Housing Program. Copy: Supervisor Newsom (Reference No. 20030422-005) (76)

From Fine Arts Museums of San Francisco, reporting that the Museums look forward to cooperating with the Controller to assess Citywide and departmental risk management. Copy: Supervisor McGoldrick (Reference No. 20030325-110) (77)

From Fine Arts Museums of San Francisco, reporting that the Museums incurred no subject line costs because the protests were centered downtown. Copy: Supervisor Hall (Reference No. 20030325-045) (78)

From Superior Court of California, reporting that the Superior Court remains committed to the concept of the Justice Information System and continues to participate as a voting member of the JUSTIS Governance Council. Copy: Supervisor Newsom (Reference No. 20030318-004) (79)

From Fine Arts Museums of San Francisco, reporting that the Museums work closely with the City's Risk Management Office on their art insurance policy. Copy: Supervisor McGoldrick (Reference No. 20030325-175) (80)

From Department of Aging and Adult Services, reporting that the department did not incur any costs as a result of the protest. Copy: Supervisor Hall (Reference No. 20030325-017) (81)

From Superior Court of California, submitting report of costs incurred by the Court as a result of the war protests this past March. Copy: Supervisor Hall (Reference No. 20030325-014) (82)

From Mayor's Office of Economic Development, responding to Supervisor Newsom's inquiry on the status of various projects. Copy: Supervisor Newsom (Reference No. 20030422-014) (83)

From Department of Elections, reporting that the department did not incur any additional costs specific to the March protests. Copy: Supervisor Hall (Reference No. 20030325-059) (84)

From concerned citizens, opposing to fund reductions to the Department of Building Inspections for the City of San Francisco. 3 letters (85)

From Comcast, regarding Advance Digital Network Construction Delay. (86)

From State Board of Equalization, submitting a Notice of Proposed Regulatory Action. (87)

From San Francisco Redevelopment Agency, submitting financial and performance report for the quarter ended March 31, 2003. Copy: Supervisors Sandoval, McGoldrick (88)

From Office of the Public Defender, reporting that the department is unable to determine the total cost as result to the protest in March. Copy: Supervisor Hall (Reference No. 20030325-032) (89)

From Department of Public Health, responding to the inquiry by Supervisor McGoldrick on systematic CCSF procedures for risk management. Copy: Supervisor McGoldrick (Reference No. 20030325-134) (90)

From Dan Murphy, urging the Board of Supervisors to continue funding the Natural Areas Program of the Recreation and Parks Department. (91)

From San Francisco Law Library, reporting the Law Library has very few if any risks associated with department functions. Copy: Supervisor McGoldrick (Reference No. 20030325-195) (92)

From San Francisco Youth Commission, submitting draft resolution urging the Board of Supervisors to urge the Board of Education to enforce implementation of all parts of school board resolution no. 212-10A15. (93)

From San Francisco Youth Commission, submitting draft resolution urging the Board of Supervisors to urge the Board of Education to move school resource offices in the SFUSD to the exterior perimeter of schools, and to allow for the transfer of CAR-29 funding to funding for school counselors. (94)

From Eureka Valley Promotion Association, submitting support of Proposition N, Care Not Cash. Copy: Each Supervisor (95)

From San Francisco Youth Commission, submitting draft resolution urging the Board of Supervisors to declare San Francisco a Young Worker Friendly City and to support the Young Workers Bill of Rights as defined by the Young Worker Project. (96)

From Bayview Hunters Point Project Area Committee, submitting final iteration of the Community Revitalization Concept Plan for the Bayview Hunters Point community. (97)

From Marcia Lynn Neil, suggesting that the San Jose Mercury News be formally commended for its membership efforts to expand the information database available to residents and especially tenants of the San Francisco Bay peninsula locale. (98)

From Board of Appeals, submitting a copy of Affidavit of Service that was sent to, George Hauser, the appellant. (99)

From Budget Analysis, submitting Management Audit of the San Francisco International Airport - Airfield Development Bureau Runway Reconfiguration Project Report. File 021308 (100)

From San Francisco International Airport, submitting response to the Management and Performance Audit of the Airfield Development Bureau. File 021308 (101)

From Department of Transportation, reporting on the department's plans and proposals along 19th Avenue in the city of San Francisco. Copy: Supervisor Hall (Reference No. 20030127-001) (102)

From San Francisco Tomorrow, commenting the library for its steps to open up the public input process. (103)

From Richmond District Democratic Club, regarding reconstitution of Branch Library Improvement Program Advisory Committee. (104)

From Mayor's Office of Criminal Justice, concerning procedures governing risk management for the department. (Reference Nos. 20030325-202, 20030325-137) (105)

From Anthony Imperial, regarding homeless in San Francisco. (106)

From San Francisco Police Department, responding to the Board's request for a CEDAW gender analysis on proposed cuts within the San Francisco Police Department. Copy: Supervisor Newsom, File 030530 (107)

From San Francisco Public Utilities Commission, submitting press release regarding installation of Moscone Center Solar Panels. (108)

From John Jenkel, submitting various documents regarding President George Bush. (109)

From San Francisco Youth Commission, submitting 2003/2004 budget recommendations. (110)

From Office of the Controller, regarding proposed charter amendment regarding retirement benefits for miscellaneous safety employees. (111)

From Robert J. Spjut, submitting recommendation to the Dog Advisory Committee to establish a Dog Play Area in Alamo Square. Copy: Supervisor Gonzalez (112)

From Taxicab Commission, concerning Taxi Commission's support of taxi stand at UN Plaza. Copy: Each Supervisor, File 030629 (113)

From San Francisco Tomorrow, submitting concern that NAPCAC members are being restricted from requesting information during meetings. File 021260 Copy: Supervisors Gonzalez, Dufty, Ma, Newsom (114)

From Urban Counties Caucus, submitting Legislative Update for May 19, 2003. (115)

From Mauricio Salazar, submitting support for the pending secondary unit legislation. File 021598 (116)

From Concrete Contractors, Inc., urging the Board of Supervisor to support the reauthorization of Ordinance 12D. File 030347 (117)

From San Francisco Fire Fighters Local 798, submitting appreciation to San Francisco residents for their support and participation in their campaign to Save Neighborhood Firehouses. Copy: Supervisors Ma, Peskin, Gonzalez, Maxwell, and Daly (118)

From Gary W. Moody, regarding David Lazarus' article "A lesson in stalled cleanup." (119)

From Dana Lanza, responding to Mr. Moody's comment on the article "A lesson in stalled cleanup." (120)

From Diana M. Scott, urging the Board of Supervisors to spend more money on pedestrian improvement rather than on the U.N. Plaza. Copy: Each Supervisor, File 030629 (121)

From San Francisco Superior Court, submitting legal documents regarding complaint made by a Chief Probation Officer with the Juvenile Probation Department. (122)

ADJOURNMENT

File 030911

**NOTICE OF PUBLIC HEARING
PROPOSED REDUCTIONS IN HEALTH SERVICES
FISCAL YEAR 2003-04**

DOCUMENTS DEPT

JUN 4 2003

SAN FRANCISCO
PUBLIC LIBRARY

The San Francisco Board of Supervisors will conduct a Beilenson Hearing pursuant to Section 1442.5 of the California Health and Safety Code (Beilenson Act) on the elimination and reduction of health care services to indigents provided by the City and County of San Francisco for fiscal year 2003-2004. The Beilenson Hearing will be held:

TUESDAY, JUNE 10, 2003, AT 3:00 PM
LEGISLATIVE CHAMBER OF CITY HALL
#1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CALIFORNIA

At this hearing, the Board of Supervisors of the City and County of San Francisco will consider the impact of the proposed elimination and reduction of health services on the health care needs of the county's indigents. Public testimony, both oral and written, will be accepted at this hearing.

The San Francisco Department of Public Health has prepared the attached list of proposed budget reductions that are subject to Beilenson Hearing. The list includes the elimination and reduction of health services to the county's indigents. Although California Health and Safety Code Section 1442.5 does not require notice on the elimination and reduction of mental health and substance abuse services, the Department of Public Health has included these changes in its attached list. Further information is available by telephoning the Department of Public Health at 554-2851. For information on medical services, access and eligibility, please call 206-8000.


Gloria Young
Clerk of the Board

**NOTICE OF PUBLIC HEARING PROPOSED REDUCTIONS IN HEALTH SERVICES
FISCAL YEAR 2003-04**

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Gloria Young
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**San Francisco Department of Public Health
Proposed Service Reductions**

Item No.	Facility	Service	Proposed Service Reduction or Change	Savings (100,000)	Number of Persons Affected
1	Community Based Organization	Mental Health	Mental Health Private Fee for Service Hospitals	(100,000)	Will reduce services to 23 unduplicated clients and 308 units of service (UOS).
2	San Francisco General Hospital (SFGH)	Health	SFGH Patient Referral	(408,287)	Patients will be directed to outpatient clinics to make appointments with unit clerks and health workers and would talk to a triage nurse for advice. No reduction in number of patients referred but reduction in referral service volume.
3	Community Based Organization	Primary Care	Central City Hospitality House outreach and referral services to the homeless	(567,618)	Elimination of drop in services for 8,000 homeless clients receiving 59,000 UOS of outreach services.
4	Tom Waddell & South of Market Clinic	Primary Care	Outreach Services to Homeless	(244,884)	Consolidate HOPE (medical outreach) and MOST (mental health case management and mental health services) programs. Will impact 450 clients.
5	Community Based Organization	Mental Health	Progress Foundation Outreach Services	(383,701)	Will reduce services to 300 unduplicated homeless clients & 6,124 units of service.
6	Community Based Organization	Mental Health	Instituto Familiar De La Raza Outreach Services	(21,437)	Will reduce services for 180 unduplicated homeless clients & 340 units of service.
7	Community Based Organization	AIDS/HIV	San Francisco AIDS Foundation HIV/AIDS Hotline Services	(138,172)	Could result in reduced capacity to accept telephone calls if the agency is not able to backfill telephone coverage.
8	Community Based Organization	Housing	Tenderloin Housing Clinic - Tenderloin SRO Collaborative	(50,310)	Contracted UOS equals 21,600 calls
9	Community Based Organization	Housing	Chinatown Community Development Corp - SRO Families Collaborative	(50,000)	Program provides education and advocacy services to residents & owners of SROs. Will impact 178 clients.
10	Community Based Organization	Substance Abuse	Substance Abuse Preferral Referral Unit	(68,601)	Reduction of service to 211 unduplicated clients and 2,530 units of service.
11	San Francisco General Hospital (SFGH)	Substance Abuse	SFGH Inpatient substance abuse treatment referral team	(73,125)	Referrals to substance abuse programs will be made by social workers. No reduction in clients served.
12	Community Based Organization	Substance Abuse	Asian American Recovery Services - Drug Court Treatment	(100,000)	Elimination of referral services to 89 unduplicated clients.
13	Community Based Organization	Substance Abuse	Westside Youth Awareness Substance Abuse Outpatient Program	(341,761)	Resources for 31 unduplicated clients and 137 units of service.
14	Community Based Organization	Substance Abuse	New Leaf Substance Abuse Program	(225,346)	Resources for 27 unduplicated clients and 690 units of service.
15	Community Based Organization	Substance Abuse	Potrero Hill Neighborhood House outpatient substance abuse	(289,696)	Closure of intensive outpatient program for youth and young adults will result in loss of 3,193 units of service to 106 unduplicated clients.
16	Community Based Organization	Substance Abuse	Asian American Recovery Services - COPASSA	(162,833)	Elimination of 8,200 units of service of outreach education, intervention counseling, prevention and referral.
17	Community Based Organization	Substance Abuse	Height Ashbury Free Clinics, Inc. - OSHIN	(790,744)	Elimination of outpatient services to 160 unduplicated clients and reduction of prevention services to 1,950 unduplicated clients.



San Francisco Department of Public Health
Proposed Service Reductions

em No.	Facility	Service	Proposed Service Reduction or Change	Savings	Number of Persons Affected
18	Community Based Organization	Substance Abuse	Haight Ashbury Free Clinics, Inc. - Mothers Ahead Program	(332,636)	Elimination of outpatient treatment and referral to 72 unduplicated clients.
19	Community Based Organization	Substance Abuse	Haight Ashbury Free Clinics, Inc. - Mother's Ahead Program Outreach	(70,759)	Elimination of perinatal outreach services to 200 unduplicated clients and 2,000 units of service.
20	Community Based Organization	Substance Abuse	Walden House - Continuing Care	(285,502)	Elimination of continuing care and case management services to 336 unduplicated clients.
21	Community Based Organization	Substance Abuse	Walden House - Intensive Treatment Services	(329,877)	Elimination of services to 40 unduplicated clients.
22	Community Based Organization	Substance Abuse	Sheriff's Dept - Walden House substance abuse residential services	(256,000)	Elimination of residential services to jail population.
23	Sheriff's Department / County Jails	Substance Abuse	Sheriff's Dept / Probation Dept - substance abuse Post Education Release Program	(60,000)	Elimination of post education services to jail population.
24	Community Based Organization	Substance Abuse	Sheriff's Dept - Community Works, Inc. substance abuse Roads to Recovery Program	(24,593)	Elimination of education services to jail population.
25	Community Based Organization	Substance Abuse	New Leaf - Acupuncture Program	(100,000)	Elimination of acupuncture services to 32 unduplicated clients for 750 units of service.
26	Community Based Organization	Substance Abuse	Bayview Hunter's Point Foundation - Acupuncture Program.	(148,876)	Elimination of acupuncture services to 56 unduplicated clients for 2,800 units of service.
27	San Francisco General Hospital (SF GH)	Substance Abuse	Ozanim Medically Supported Detox	(563,722)	Redesign of treatment model from medical detox to a social detoxification model for 20 of 38 beds operated by St Vincent De Pauls Howard Street Program. The 38 beds will remain funded in 03-04 for social model detoxification. Unduplicated clients will remain the same.
28	Community Based Organization	Mental Health	Family Service Agency - Day Treatment Services	(375,142)	Reprogram day treatment to intensive case management program resulting a reduction of 9 unduplicated clients and 7,143 UOS as a result of the change in service model.
29	Community Based Organization	Mental Health	Richmond Area Multi Service Center - Day Treatment.	(35,150)	Reduction to the Day Treatment budget for adult and older adult programs. Reduction in services to 27 unduplicated clients and 340 units of service.
30	Community Based Organization	Mental Health	Bayview Hunter's Point Thunderspeed Program Mental Health day treatment	(447,478)	Reduction of services for 40 unduplicated clients.
31	Community Based Organization	Mental Health	Baker Placis - Westside Lodge Day Treatment	(220,874)	Reprogram intensive day treatment program to rehabilitation program reducing services by 16 clients per day.
32	Community Based Organization	Mental Health	Conard House - Transitional Residential Treatment	(213,183)	Reprogramming from a 24 bed home to a 18 bed home.
33	Community providers	Mental Health	Private Provider Network Outpatient	(200,000)	Reduction in services to 197 unduplicated clients and 2,167 units (hours) of service.
34	San Francisco General Hospital (SF GH)	Health	Interpreter Services	(474,671)	Reduce staffing that will result in longer wait times for services during the day and evening and with increased reliance on bilingual staff at night.
35	Community Based	Housing	Ark of Refuge - Transitional housing for gay, lesbian, bisexual, transgender, queer and questioning youth.	(335,393)	The provider has procured a less expensive space and has secured funding for the program in rental of 15 beds

San Francisco Department of Public Health
Proposed Service Reductions

Im No.	Facility	Service	Proposed Service Reduction or Change	Savings	Number of Persons Affected
36	Community Based Organization	AIDS/HIV	SF AIDS Foundation/AIDS Health Project - Emotional Support Services	(383, 179)	Reduction in services to 900 unduplicated clients for 7056 hours of services and 128 evaluation hours.
37	Community Based Organization	AIDS/HIV	Shantl - Emotional & Practical Support	(401, 811)	Reduction in services for 34,800 units of service.
38	Community Based Organization	Health	Bayview Hunter's Point Foundation - Adult Day Health	(55,554)	Eliminate adult day health services to 150 elderly clients & 9,000 units of service.
39	Community Based Organization	Health	California Acupuncture Resources	(40,000)	Eliminate acupuncture services to 80 clients and 300 units of service.
40	DPH Community Health Network	Health at Home	Home Health Services	(431,446)	Reduce home health staff providing services to 131 unduplicated clients and 3,472 units of service.
41	San Francisco General Hospital (SFGH) and University of California San Francisco (UCSF)	Substance Abuse	SFGH/UCSF Dept of Psychiatry Medical Care Substance Use Services (MCSUS) Program.	(444,786)	Elimination of Outpatient substance abuse treatment to 278 unduplicated clients for 876 units of service. Elimination of Intervention and Information Dissemination components of the Prevention program for a reduction of service to 2,100 unduplicated clients for 5,400 units of service.
42	Community Based Organization	Substance Abuse	Baker Placés -Westside Lodge Day Treatment	(1,500,000)	Loss of 20 residential treatment beds, 20 day treatment slots, or services to 150 unduplicated clients.
43	Community Based Organization	AIDS/HIV	Positive Resources - Rently to work Program for persons with HIV.	(140,000)	Elimination of 2,115 hours of service to 22 unduplicated clients.
44	Community Based Organization	AIDS/HIV	Technical Assistance to HIV Service providers	(150,000)	No direct services to patients or clients.
45	Community Based Organization	Primary Care	Shantl Lifelines Breast Cancer Case Management	(75,000)	FY 02-03 addback to Shantl for the Lifelines Breast Cancer Case Management Program will eliminate 2,753 Units of Service. Unduplicated clients not available.
46	Community Based Organization	Substance Abuse	Asian American Recovery Services: Lee Woodward Counseling Center	(274,827)	Closure of outpatient treatment program for women will result in loss of 1,850 units of service to 50 unduplicated clients.
47	Community Based Organization	Substance Abuse	Haigh Ashbury Free Clinics Inc: Gilde African American Extended Family Outpatient	(367,177)	Elimination of outpatient treatment program will result in loss of 2,028 units of service to 678 unduplicated clients.
48	Community Based Organization	Substance Abuse	Episcopal Community Services: Next Door	(73,786)	Elimination of case management and ancillary services to shelter clients will result in loss of 2,700 units of service to 720 unduplicated clients.
49	Community Based Organization	Substance Abuse	St Vincent de Paul: Multi-Service Center South	(84,989)	Elimination of case management and ancillary services to shelter clients will result in loss of 2,951 units of service to 1,540 unduplicated clients.
	Community Based Organization	Substance Abuse	North of Market Senior Services: Drop-In Sobriety	(88,219)	Elimination of this service will result in loss of 12,474 drop-in visits by 200 unduplicated clients.

San Francisco Department of Public Health
Proposed Service Reductions

Item No.	Facility	Service	Proposed Service Reduction or Change	Savings	Number of Persons Affected
51	Community Based Organization	Substance Abuse	North of Market Senior Services: Women's Outreach Program	(\$1,013)	Elimination of this service will result in loss of 3000 contacts with 75 unduplicated woman clients.
52	Community Based Organization	Substance Abuse	Walden House: Sister Continuing Care	(\$3,876)	Elimination of women's outpatient aftercare treatment program will result in loss of 785 units of service to 38 unduplicated clients.
53	Community Based Organization	AIDS/HIV	AIDS Housing Subsidies	(\$50,000)	Reduction of 6 full or 11 partial housing subsidies through attrition for persons with HIV.
54	Community Based Organization	Mental Health	Bayview Hunter's Point Clubhouse - Day Treatment	(\$94,272)	Reduction of services to 46 unduplicated clients and the delivery of 6,157 fewer units of service.
55	Community Based Organization	Mental Health	Progress Foundation-Rybins/Carroll House Seniors Day Treatment.	(\$86,376)	Reduction of services to 58 unduplicated clients and the delivery of 4,645 fewer units of service.
56	Community Based Organization	Mental Health	Chinatown Northbeach Mental Health Clinic- Day Treatment	(\$64,924)	Reduction in services to 16 unduplicated clients.
57	Community Based Organization	AIDS/HIV	HIV Prevention	(\$1,000,000)	Reduction of services within all targeted behavioral risk populations to be determined using a Reverse RFP.
58	DPH Health Centers	Primary Care	Adult Dental Services	(\$289,726)	Elimination of adult dental services to 234 adults (528 units of service)
59	DPH Jail Health County Jails	Jail Health	Reduction in Jail Health staffing.	(\$4,551,000)	All inmates will continue to receive health screenings and services. With an estimated reduction of direct care hours of 20%, there will be longer waiting times, less frequency of vital sign checks, and over the counter drugs will not routinely be provided by Jail Health services.
60	Community Based Organization / County Jails	Jail Psychiatric Services	Haight Asbury Free Clinic - Psychiatric	(\$523,000)	Jail Health Psychiatric Services will be reduced by an estimated 14%.
Total				(\$9,104,539)	

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

JUN 6 2003

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 10, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the April 29, 2003 and May 6, 2003 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

1. 030345 [Acceptance of Gift]
Resolution accepting a gift of \$55,000 from the Market Street Railway and authorizing said funds to be expended for the purchase of Historic Streetcar #162 from the Orange Empire Railway Museum. (Municipal Transportation Agency)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 030540 **[Airport Concession Lease]**
Resolution approving the Terminal 3 Specialty Retail Store Lease between Brookstone Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
3. 030605 **[Modification #9 to Lease and Use Agreement with US Airways, Inc. at Terminal 1 - SF International Airport]**
Resolution approving and authorizing the execution of Modification # 9 to the Lease and Use Agreement L-82-0120 with US Airways, Inc., to reduce terminal space in Terminal 1 of San Francisco International Airport.
(Airport Commission)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
4. 030780 **[Lease of Real Property]**
Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services.
(Real Estate Department)
(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
5. 030822 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the Lease of approximately 7,725 square feet of space at 3801 3rd Street, suites 110, 210, 220 and 230 for the Department of Human Services.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
6. 030823 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the Lease of approximately 1,800 square feet of space at 3801 3rd Street, suite 205 for the Department of Human Services.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
7. 030880 **[Lease of Real Property]**
Resolution authorizing a lease renewal at 729 Filbert Street for the Department of Public Health.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

8. 030881 [Lease of Real Property]
Resolution authorizing a lease renewal at 2001 Van Ness Avenue/1700 Jackson Street for the Department of Public Health.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

9. 030596 [Settlement of Lawsuit - Nishkian & Associates]
Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for \$40,000.
(City Attorney)
(Public Benefit Recipient.)

5/20/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 030691 [Settlement of Legal Proceeding]
Ordinance approving the settlement of a claim filed by the City and County San Francisco in the bankruptcy entitled In re Metricom, Inc., United States District Court, Northern District of California, Case No. 01-53291-ASW.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 030773 [Settlement of Lawsuit - Loretta A. Bowie]
Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for \$92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 030774 [Settlement of Lawsuit - Derrell Neal]
Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al.
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 030775 [Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]
Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 030263 [Appointment]
Resolution appointing Elissa Eckman, Chin Chi, Sherri Franklin and Susan Kendall Wheeler, term ending April 30, 2005, to the Animal Control and Welfare Commission.
Elissa Eckman, succeeding Elissa Eckman, term expired, seat 3, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.
Chin Chi, succeeding June Wilson, term expired, seat 4, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.
Sherri Franklin, succeeding Sherri Franklin, term expired, seat 5, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.
Susan Kendall Wheeler, succeeding Cheryl Bently, resigned, seat 6, must be a member representing the general public having interest and experience in animal matters; for a two year term ending April 30, 2005.

Question: Shall this Resolution be ADOPTED?

15. 030264 [Appointment]
Resolution appointing Dennis Yun and Dorothy Shaffer, term ending January 31, 2006 to the Mental Health Board.
Dennis Yun, succeeding Dennis Yun, term expired, seat 12, must be a consumer; for the unexpired portion of a three year term ending January 31, 2006.
Dorothy Shaffer, succeeding Dorothy Shaffer, term expired, seat 16, must be a family member; for the unexpired portion of a three year term ending January 31, 2006.

Question: Shall this Resolution be ADOPTED?

16. 030745 [Settlement of Claim - Thomas W. Westwood]
Resolution approving the settlement of the unlitigated claim filed on February 7, 2002 by Thomas W. Westwood against the City and County of San Francisco.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

17. 030655 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion approving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
5/20/2003, CONTINUED. Supervisor Maxwell, seconded by Supervisors Daly and Peskin, called for the question.
Continued to June 10, 2003
Question: Shall this Motion be ADOPTED?
18. 030656 [Appeal, Conditional Use - 2690 Harrison Street (aka 3000 23rd Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16546, approving Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
5/20/2003, CONTINUED. Continued to June 10, 2003
Question: Shall this Motion be ADOPTED?
19. 030657 [Findings - 2690 Harrison Street (aka 3000 23rd Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1311EC, on property located at 2690 Harrison Street (aka 3000 23rd Street), for action by the Board at its next meeting.
(Clerk of the Board)
- 5/13/2003, CONTINUED. Continued to May 20, 2003
5/20/2003, CONTINUED. Continued to June 10, 2003
Question: Shall this Motion be ADOPTED?

20. 030658 [Environmental Review]
Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 2690 Harrison Street (aka 3000 23rd Street).
(Clerk of the Board)

5/13/2003, CONTINUED. Continued to May 20, 2003

5/20/2003, CONTINUED. Continued to June 10, 2003

Question: Shall this Motion be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

21. 030328 [Settlement of Unlitigated Claim]
Supervisor Hall
Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

5/6/2003, CONTINUED. Continued to May 13, 2003

5/13/2003, CONTINUED. Continued to May 20, 2003

5/20/2003, CONTINUED. Continued to June 10, 2003

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Duffy

22. 020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]
Supervisors Ammiano, Gonzalez, Duffy, Hall, Newsom
Charter amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.
(Fiscal impact.)

7/15/2002, CONTINUED. Continued to July 22, 2002.

7/22/2002, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/2002, RE-REFERRED to Rules and Audits Committee.

3/18/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.

4/29/2003, CONTINUED. Continued to May 6, 2003

5/6/2003, CONTINUED. Continued to May 20, 2003

Supervisor Newsom requested to be added as a co-sponsor.

5/20/2003, CONTINUED. Continued to June 10, 2003

Question: Shall this Charter Amendment be SUBMITTED?

Recommendation of the Budget Committee

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

23. 030628 [Making Environmental Findings and Increasing Fees Charged for Inspection and Certification of Agriculture Products]

Mayor, Supervisor Daly

Ordinance making environmental findings and amending the San Francisco Administrative Code to increase the fees charged by the Department of Consumer Assurance for inspection and certification of agriculture products prior to shipment.
(Mayor)

5/20/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Newsom

24. 030541 [Abolishing a portion of official sidewalk - Lyon Street south of Bay Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1559 to abolish a portion of official sidewalk on the westerly side of Lyon Street south of Bay Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk abolishment.
(Public Works Department)
(No Public Benefit Recipient.)

5/20/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell, Ammiano

25. 030643 [Street Vacation for Metro East Project]

Ordinance ordering the summary vacation of portions of 26th Street, Michigan Street, Georgia Street and Louisiana Street; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying acts and authorizing actions in furtherance of the ordinance.
(Real Estate Department)
(No Public Benefit Recipient.)

5/20/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufry, Ma, Newsom

26. 030365 [Funding Levels for Department of Aging and Adult Services]
Supervisors Newsom, Dufry, Ma
Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.
- 3/18/2003, REFERRED to Budget Committee. Supervisor Hall requested that this matter be referred to Committee.
- Question: Shall this Resolution be ADOPTED?
27. 030692 [Accept- Expend Proposition 13 Grant]
Resolution authorizing the Department of the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$1 million from the Proposition 13 account for the removal of Niles and Sunol dams.
(Public Utilities Commission)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
28. 030746 [Mental health services to HIV positive women and their adult family members amendment 2]
Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement, Amendment Number 2, in an additional amount of \$30,000 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003.
(Public Health Department)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

29. 030577 **[Parental Leave]**
 Supervisor Daly
 Ordinance approving rules for administration, interpretation and regulation of Parental Leave as submitted by the Department of Human Resources.
 (Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 030609 **[Appropriate funding from the sale of certificates of participation for the Juvenile Hall Reconstruction Project]**
 Mayor
 Ordinance appropriating \$42,052,080 from the sale of certificates of participation by the Mayor's Office of Criminal Justice to fund the Juvenile Hall Reconstruction Project for fiscal year 2002-03.
 (Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 030631 **[Competitive Bid and Prevailing Wage Exemption for Job Training Program - San Francisco Conservation Corps]**
 Supervisor Maxwell
 Ordinance exempting the San Francisco Conservation Corps from the prevailing wage requirements and waiving the competitive bid requirements for the Recreation and Park Commission's award of a contract for construction of playgrounds, restoration of natural areas and implementation of erosion control measures in San Francisco parks.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
32. 030683 **[Funding for the over-expenditures in the Conflicts Panel (Indigent Defense) Program]**
 Mayor
 Ordinance appropriating \$150,000 in the Child Support Services Fund and \$1,050,000 from the General Fund Reserve for a total of \$1,200,000 to cover over-expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program consisting of \$500,000 carried forward from FY 2001-02 and \$700,000 of FY 2002-03 for the Superior Court for fiscal year 2002-03.
 (Mayor)
 (Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 030742 **[Appropriation, \$1,600,000 - Department of Elections]**
 Supervisor Gonzalez
Ordinance appropriating funding not to exceed \$1,600,000 from the General Fund Reserve for professional services to implement a ranked-choice voting system for the Department of Elections for fiscal year 2002-03.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 030845 **[Appropriation - \$526,000, Department of Elections]**
Ordinance appropriating \$526,000 from the General Fund Reserve to implement the ranked-choice voting public education plan for the Department of Elections for fiscal year 2002-03.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 030342 **[Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$26,759,043 from the Federal Aviation Administration, and any subsequent amendments offered by the Federal Aviation Administration: \$24,259,043 to be expended on standard Airport improvements (A.I.P 23, Project No. 3-06-0221-23); and \$2,500,000 for Airport security improvements (A.I.P 24, Project No. 3-06-0221-24).
(Airport Commission)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

36. 030505 **[Outreach Advertising]**
Resolution designating the Asian Week to be outreach newspaper of the City and County of San Francisco for the Chinese community for outreach advertising for the fiscal year commencing July 1, 2003 and ending June 30, 2004; and designating El Mensajero and the Bay Area Reporter to be outreach newspapers for the Hispanic and Lesbian, Gay, Bisexual and Transgender communities for the fiscal year commencing July 1, 2003 and ending June 30, 2004.
(Purchaser)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

37. 030506 **[Official Advertising]**
Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period of July 1, 2003 and ending August 30, 2003.
(Purchaser)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

38. 030653 [Mayor's Summer Food Service Program]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$420,350 from the United States Department of Agriculture for Mayor's Summer Food Service Program.

(Mayor)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

39. 030693 [Prevailing Wage Rates]

Resolution fixing the prevailing wage rates for workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City.

(Civil Service Commission)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

40. 030730 [Sale of Assessor's Block 3740, Lot 27 to Redevelopment Agency for \$10,034,140]

Resolution approving the sale of real property commonly known as Assessor's Block 3740, Lot 27 (consisting of approximately 34,057 square feet and located along the west side of Spear Street between Folsom and Howard Streets) to the San Francisco Redevelopment Agency for \$10,034,140.

(Mayor)

(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

**41. 030752 [Purchase of Real Property at 1298 Ocean Avenue for the Public Library]
Supervisor Sandoval**

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and George Yasbek, a single man (the "Seller"), for the purchase of real property and improvements located at 1298 Ocean Avenue, San Francisco, for use as the Ingleside Branch Library of the San Francisco Public Library; adopting findings under the California Environmental Quality Act; and adopting the findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

(Fiscal impact; Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

**42. 030794 [Exclusive Negotiating Agreement for Development of the Old Mint]
Mayor, Supervisor Daly**

Resolution endorsing the City entering into an Exclusive Negotiating Agreement with the San Francisco Museum and Historical Society for the development of the Old Mint.

(Mayor)

Question: Shall this Resolution be ADOPTED?

43. 030795 [Conveyance of Old Mint]
Mayor, Supervisor Daly
Resolution authorizing the City to accept title to the Old Mint pursuant to a deed and programmatic agreement and adopting findings.
(Mayor)

Question: Shall this Resolution be ADOPTED?

44. 030885 [2003 Neighborhood Recreation and Park Facilities General Obligation Bond Sale]
Resolution authorizing and directing the sale of not to exceed \$20,960,000 City and County of San Francisco General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2003A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Mayor)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee Without Recommendation

Present: Supervisors Peskin, Sandoval, McGoldrick

45. 030400 [Approval of Lease Amendment for Waterfront Restaurant]
Resolution approving Fourth Lease Amendment to Port Lease No. L-11859 between the Port Commission and Bundox Restaurant, Inc., a California corporation ("Tenant") for the lease of real property commonly known as the Waterfront Restaurant for the term commencing on November 1, 2002 and ending January 31, 2025.
(Port)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Maxwell

46. 030511 [Accept-Expend Foundation Grant]
Resolution authorizing the Department of Environment to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation for locating air monitoring equipment in San Francisco's Bayview Hunters Point community, placing \$10,000 on reserve.
(Environment)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

47. 030660 [Settlement of Lawsuit - Carmi L. Johnson]
Ordinance authorizing settlement of the lawsuit filed by Carmi L. Johnson against the City and County of San Francisco for \$85,000; the lawsuit was filed on March 2, 2001 in United States District Court, Northern District, Case No. C01-0904 SBA; entitled Carmi L. Johnson v. City and County of San Francisco, Roland Chen, Therese Madden; other material terms of said settlement are: 1. PUC to redistribute policies regarding prevention of harassment and retaliation; 2. City to provide contact individual at City Department of Human Resources for future EEO issues.
(City Attorney)
(Public Benefit Recipient.)
(Supervisor Hall dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 030034 [Campaign Finance Reform Amendments of 2003]**Supervisor Gonzalez**

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarify that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.126 to extend the time period city contractors are prohibited from making contributions to public officials who approve their contracts; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to \$5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing, amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-ratio is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to \$5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections may decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.

(No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Duffy

49. 030740 [Amending Rule 4.29 at Board of Supervisors meetings]
Supervisor Gonzalez

Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries shall occur at 2pm, and the recognition of commendations shall occur at 3pm.

Question: Shall this Motion be ADOPTED?

Present: Supervisors Hall, Duffy, Gonzalez

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. in accordance therewith consideration of the proposed Charter amendment appropriately may be continued at least one week.)

50. 030426 [Charter Amendment - Creating a Small Business Commission]
Supervisors Daly, Peskin, Duffy, Gonzalez, Hall

Charter amendment (Second Draft) to amend the Charter by adding Section 4.134 to establish a Small Business Commission.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 2:50 P.M.

51. 030922 [Youth Commission Year End Report]
Report from the San Francisco Youth Commission.
(Clerk of the Board)

Action: _____

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

52. 030911 [Committee of the Whole - Bielsenson Hearing]
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielsenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)
(Clerk of the Board)

Action: _____

SPECIAL ORDER 3:00 P.M.

53. 030886 [Appeal, Mitigated Negative Declaration - O'Shaughnessy Dam at the Yosemite National Park]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16573 adopted May 1, 2003, approving a mitigated negative declaration for the proposed development at O'Shaughnessy Dam at the Yosemite National Park, Tuolumne County. (Restore Hetch Hetchy and Sierra Club Appellants)
(Appeal filed May 9, 2003 and May 15, 2003 by Restore Hetch Hetchy and Sierra Club SF Chapter respectively).

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

54. 030887 [Affirming adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion affirming the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?
55. 030888 [Reversing adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?
56. 030889 [Preparation of findings to reverse adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.**57. 030838 [Public Hearing - Appeal, Statutory Exemption, Wharf J-10]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 15, 2003, approving a statutory exemption from the California the California Environmental Quality Act under Public Resources Code Section 21080(b)(4). (Frank Alioto Company, Inc. Appellant) (Appeal filed May 6, 2003 and supplemented May 7, 2003 by Frank Alioto Company, Inc.; Determination date of Statutory Exemption: April 15, 2003.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following three motions should be adopted.)**58. 030840 [Finding Appeal of the Statutory Exemption for Wharf J-10 Timely]**

Motion finding the appeal of the statutory exemption issued on April 15, 2003 for Wharf J-10 timely filed.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

59. 030839 [Finding Appeal of the Statutory Exemption for Wharf J-10 Untimely]

Motion finding the appeal of the statutory exemption issued on April 15, 2003 for Wharf J-10 not timely filed.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

60. 031045 [Finding of the Statutory Exemption for Wharf J-10 Untimely but Determining to Hear and Determine the Appeal]

Motion finding the appeal of statutory exemption issued on April 15, 2003 not timely filed but determining to hear and determine the appeal.

(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

(Only one of the following two motions should be adopted.)

61. 030906 [Affirming the statutory exemption issued for Wharf J-10]
Motion affirming the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
62. 030907 [Disapproving the statutory exemption issued for Wharf J-10]
Motion disapproving the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?
63. 030908 [Preparation of findings to disapprove statutory exemption issued for Wharf J-10]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Wharf J-10 project is statutorily exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency.
(Clerk of the Board)
- Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget Committee at a Special Meeting on Thursday, June 5, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

From the Budget Committee

64. 030830 [Public Works Code Permit Fees and Assessment]
Mayor
Ordinance adding Article 2.1 of the Public Works Code to add sections 2.1.1, 2.1.2, 2.1.3, and 2.1.4 concerning permit fees and occupancy assessments, specifying procedures to establish such permit fees and assessments, amending section 2.4.45 to modify the procedures for fee review and adjustments, and making environmental findings.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Services Committee

The following item will be considered by the City Services Committee at a Special Meeting on Thursday, June 5, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report.

- 65. 030918 [Halloween in the Castro]**
Supervisors Dufty, Ammiano, Ma, Newsom
Resolution recognizing and establishing Halloween in the Castro as an official City event, encouraging the involvement and cooperation of City Agencies to prepare for this year's Halloween and identifying the basic parameters of this event.

Question: Shall this Resolution be ADOPTED?

66. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

67. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

- 68. 031001 [Legislative Analyst Request]**
Supervisor Ma
Motion requesting the Legislative Analyst to research and examine the process in which small retail and small food outlet business owners obtain permits before operating their businesses. In particular, sponsor is interested in the number of permits required, the location/s where they are obtained, including application pickup, fee payments, and filing for the permits and whether there are any overlaps and how we can streamline and consolidate the processes to make it easier and more efficient.

Question: Shall this Motion be ADOPTED?

From the Rules Committee With Recommendation "Do Not Pass"

Present: Supervisors Hall, Dufty, Gonzalez

69. 030837 [Settlement of Lawsuits - Tammy Haygood]
Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment within two years.
(City Attorney)
(Public Benefit Recipient.)
(Supervisor Dufty dissenting in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION**CONFERENCE WITH CITY ATTORNEY - Existing Litigation****City as Plaintiff and Defendant**

70. 031014 [Closed Session - Existing Litigation, City as Plaintiff and Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation and administrative claims in which, in sum, Tammy Haygood challenges her removal as Director of the Department of Elections.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation and administrative claims listed below.

San Francisco v. Civil Service Commission of San Francisco (Tammy Haygood, Real Party In Interest), S. F. Superior Court No. CPF-02-501387 (filed July 15, 2002)
Tammy Haygood v. Michael Mendelson, et al., U. S. District Court No. C02-03433 WHA (filed July 17, 2002)
Haygood v. Mendelson, Department of Fair Employment and Housing No. E200203A1013-06-amrse (filed January, 2003)
Haygood v. San Francisco, California Department of Labor Claim (filed February, 2003)
(City Attorney)

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 71 through 87

71. 030926 [Homeless Death Count]
Supervisor Newsom
Resolution urging the Medical Examiner and the Director of the Department of Public Health, in collaboration with the Mayor's Office of Homelessness, to reactivate the Homeless Death Prevention Community Advisory Board or some other appropriate policy-making group to track and analyze the death of homeless individuals.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
72. 030930 [Commend Joe Lynn]
Supervisors Gonzalez, Ammiano, Newsom, Maxwell, McGoldrick, Peskin, Sandoval, Dufty, Ma, Daly, Hall
Resolution commending Joe Lynn, Campaign Finance Officer of the Ethics Commission for his tireless efforts in promoting the public's right to know the state of campaign finance in San Francisco.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
73. 030931 [Commend Chief Juvenile Probation Officer Jesse E. Williams Jr.]
Supervisors Maxwell, Dufty
Resolution commending Chief Juvenile Probation Officer Jesse E. Williams Jr. for his exemplary services and dedication to San Francisco.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
74. 030932 [Extension of Planning Commission Review Period]
Supervisor McGoldrick
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by amending Sections 311 and 312 to require expanded public notice of exterior alteration projects and requiring the Building and Planning Departments to issue implementing regulations within 90 days and report to the Board on the effectiveness of the ordinance no later than nine months thereafter.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

75. 030933 [SFUSD to Consider Tagalog/Filipino Language Access for Students]
Supervisor Sandoval
Resolution urging the San Francisco Unified School District to consider Tagalog/Filipino language access and studies as a necessary part of the school system curriculum.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
76. 030934 [Reconsideration of Board of Supervisors Raise]
Supervisor Newsom
Resolution requesting that the Civil Service Commission reconsider its decision to give the Board of Supervisors a \$74,735 raise.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
77. 030935 [Healthy Business Environment in Chinatown]
Supervisors Peskin, Ma, Dufty
Resolution supporting efforts to foster a healthy, expanding business environment in San Francisco's Chinatown during these economically challenging times.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
78. 030936 [SS Jeremiah O'Brien Day]
Supervisors Peskin, Dufty
Resolution declaring June 19, 2003 SS Jeremiah O'Brien Day in celebration of the 60th birthday of the sole operational survivor of the 5,000 ship armada that stormed Normandy Beachheads on D-Day.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
79. 030937 [Supporting Senate Bill 304]
Supervisor Peskin
Resolution supporting Senate Bill 304 and efforts in the California State Senate to foster greater competition in the retail gasoline market.
- 5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

80. 030938 [Recycled paper for catalogs]
Supervisor Peskin
Resolution urging the consumer catalog industry to use 50 percent post-consumer recycled paper for catalogs, to preserve natural resources, to conserve landfill space, and to reduce air and water pollution associated with the manufacturing of virgin wood-fiber paper.

5/20/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
81. 030996 [Establishing initial terms of office for three members of the Entertainment Commission appointed by the Board of Supervisors]
Supervisor Hall
Resolution establishing initial terms of office for the three members of the Entertainment Commission appointed by the Board of Supervisors: James Meko (through June 30, 2007), Terrance Alan (through June 30, 2006), and Erik Joseph Pred (through June 30, 2005).

6/3/2002, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
82. 031041 [Commending San Francisco Food Bank]
Supervisor Daly
Resolution commending the San Francisco Food Bank for their participation in Hunger Awareness Day.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
83. 031042 [Supporting National Coalition for the Homeless]
Supervisor Daly
Resolution supporting the National Coalition for the Homeless recommendations to combat hate crimes and/or acts of violence against people experiencing homelessness.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
84. 031043 [Destruction of Non-Felony Case Files]
Supervisor Ma
Resolution authorizing the Office of the Public Defender to destroy non-felony case files eight years after the final disposition of the case.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

85. 031044 [Commend Sing Tao Daily]**Supervisor Sandoval**

Resolution commending the Sing Tao Daily for 65 years of outstanding service to the Chinese community in the Bay Area.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

86. 030965 [Needle Exchange Emergency]**Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/3/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

87. 030950 [Final Map for a 10 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of 222 Valencia Street, a Commercial / Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 3533, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,152; District 6.)

5/27/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

88. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 28, 2003 through June 2, 2003, for reference by President to appropriate committee on June 10, 2003.

- 030941 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]**
Ordinance ordering the vacation of two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2), within the Mission Bay North Redevelopment Project Area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated areas; adopting findings that such actions are consistent with the City's General Plan, the eight priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,111; and authorizing other official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,111.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

- 030948 [Ordering vacation of portion of Berry Street at Sixth Street and approving a Property Exchange Agreement in Mission Bay North]**
Ordinance ordering the vacation of a 639.5 Sq. Ft. portion of Berry Street at Sixth Street within the Mission Bay Redevelopment Project Area subject to reservations of certain utility easements in the vacated area; authorizing a quitclaim of the City and County of San Francisco's rights and interest in the vacated area to Catellus Development Corporation ("Catellus"); approving the Property Exchange Agreement (Mission Bay North Plan Area) to acquire certain Catellus properties in exchange for certain City properties; adopting findings that such actions are consistent with the City's General Plan, priority policies of City's Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 174,110; and authorizing official acts in connection with this ordinance.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,110.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030955 [Settlement of Lawsuit - Armenta, et al., v. James Jones Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the James Jones Company, Mueller Co., Tyco International and Watts industries, for a payment to the City in the amount of \$2,890,908; the lawsuit was filed on June 26, 1997 in Los Angeles County Superior Court, Case No. BC 173-487; entitled Los Angeles Department of Water and Power ex rel Armenta, et al., v. James Jones Co., et al.

(City Attorney)

(No Public Benefit Recipient.)

031013 [Settlement of Lawsuit - Dillingham Construction N.A. et al., v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by Dillingham Construction N.A. against the City and County of San Francisco for \$2,400,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid in part through the release of \$1,050,000.00 from an unpaid progress payment and the retention account held for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees.

(City Attorney)

(Public Benefit Recipient.)

PROPOSED RESOLUTIONS

Proposed resolutions received from May 28, 2003 through June 2, 2003, for reference by President to appropriate committee on June 10, 2003.

030884 [Lease of Real Property]

Resolution authorizing a lease renewal at 44 Gough Street for the Department of Human Resources.
(Real Estate Department)

(Public Benefit Recipient.)

5/22/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

**030927 [Accept-Expend State Grant]
Supervisor Dufty**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$15,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.

(Sheriff)

(No Public Benefit Recipient.)

5/27/2003, RECEIVED AND ASSIGNED to City Services Committee.

- 030940 [Vacation of easements in approximately 260 square foot portion of the N2 mid-block walkway (Assessor's Block 8706, Lot 2)]
- Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of the pedestrian ingress and egress easement and public utility easement in the N2 mid-block walkway (Assessor's Block 8706, Lot 2) within the Mission Bay North Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of the easement areas; and adopting findings that the vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan; accepting DPW Order No. 174,111; and authorizing other official acts in connection with this Resolution.
- (Public Works Department)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

- 030947 [Mission Bay Street Vacation a portion of Berry Street at Sixth Street]
- Resolution declaring the intention of the Board of Supervisors to vacate a portion of Berry Street at Sixth Street within the Mission Bay North Redevelopment Project Area; setting the hearing date for all persons interested in the proposed vacation of said street area; and adopting findings that the proposed vacation is consistent with the City's General Plan, the eight priority policies of City Planning Code section 101.1 and the Mission Bay North Redevelopment Plan.
- (Public Works Department)
- No Public Benefit Recipient; DPW Order No. 174,110.)

5/23/2003, RECEIVED AND ASSIGNED to Land Use Committee.

- 030952 [STOP Intersections]
- Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
- Alemaný Boulevard at Justin Drive, stopping Justin Drive at Alemaný Boulevard, north intersection, making this T-intersection an all-way STOP; 15th and De Haro Streets, stopping De Haro Street, making this intersection an all-way STOP; and Eucalyptus Avenue, Junipero Serra Frontage Road and Ocean Avenue, stopping Junipero Serra Frontage Road at Ocean Avenue; and stopping Eucalyptus Avenue at Ocean Avenue, making this five-legged intersection a three-way STOP.
- (Parking and Traffic Department)
- (5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030953 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

DIAMOND (TRANSIT ONLY) LANE, AT ALL TIMES - ESTABLISH

4th Street, right lane, between Minna and Mission Streets; and

4th Street, second lane from right curb lane, between Howard and Minna Streets.

DIAMOND (TRANSIT ONLY) LANE, FROM 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

4th Street, right curb lane, between Clementina and Howard Streets.

STREET CLOSURE, EVERYDAY, FROM 10 AM TO 10 PM - EXTENSION OF HOURS

Claude Lane, between Bush and Sutter Streets. (This street is already closed everyday, from 10:00 AM to 3:00 PM and then again from 5:30 PM to 10:00 PM. This would simply extend the closure times to be continuous from 10:00 AM to 10:00 PM).

NO TURN ON RED - ESTABLISH

Drumm Street, southbound, at Market Street.

(Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

030954 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Webster Street, west side, between Haight and Page Streets (200 block); and
Guerrero Street, east side, between 18th and 19th Streets (600 block).

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

25th Street, both sides, between Alabama and Florida Streets (3000 block).

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

20th Street, south side, between Missouri and Texas Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Sanchez Street, both sides, between 27th and Cesar Chavez Streets (1300 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Broderick Street, east side, between Post and Sutter Streets (1500 block, even numbers only);
Note: No signs will be posted on this block.

Broderick Street, east side, between Garden and Post Streets (1400 block);
Broderick Street, west side, between Geary Boulevard and Post Street (1400 block); and
2300 block of Post Street, both sides, between Broderick and Divisadero Streets (includes odd addresses 2325 to 2399 and even addresses 2352 to 2398 only);

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

26th Street, north side, from 40 feet to 245 feet west of Wisconsin Street.

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Treat Avenue, both sides, between 24th and 25th Streets (1100 block).

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

4th Street, west side, between Clementina and Howard Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Ocean Avenue, south side, from Harold Avenue to 95 feet westerly.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

210-212 Noe Street, west side, 47 feet south of 15th Street (two spaces).

TOW-AWAY, NO PARKING, 6 PM TO 6 AM EVERY NIGHT, EXCEPT MUNI BUSES - ESTABLISH

Treat Avenue, west side, from 15th Street to 80 feet southerly; and
Treat Avenue, east side, from 15th Street to Harrison Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, south side, between Funston Avenue and Park Presidio Boulevard.

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Geary Boulevard, north side, between Funston Avenue and Park Presidio Boulevard.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Clement Street, both sides, between 14th and Funston Avenues;

Anza Street north side, between 14th and Funston Avenues; and

Anza Street, south side, between 14th Avenue and Park Presidio Boulevard.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

17th Street, south side, from Valencia Street to 86 feet westerly; and

Valencia Street, west side, from 73 feet to 196 feet south of 17th Street.

RESIDENTIAL PERMIT PARKING AREA "B" - RESCIND

RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Belle Avenue, both sides, between Junipero Serra Boulevard and St. Charles Avenue;

Chester Avenue, both sides, between Belle Avenue and Payson Street;

Palmetto Avenue, both sides, between Junipero Serra and Alemany Boulevards;

Payson Street, both sides, between Chester and St. Charles Avenues;

St. Charles Avenue, both sides, between Payson Street and south terminus;

Kempton Avenue, both sides, between Alemany Boulevard and Brotherhood Way;

Alemany Boulevard, north side, between St. Charles Avenue and Arch Street;

Alemany Boulevard, south side, between Worcester Avenue and Ramsell Street;

Alemany Boulevard, south side, between Junipero Serra Boulevard and

St. Charles Avenue;

Ramsell Street, both sides, between Alemany Boulevard and Palmetto Avenue;

Palmetto Avenue, north side, between Ramsell and Victoria Streets;

Niantic Avenue, west side, between Panama Street and St. Charles Avenue; and

Panama Street, both sides, between Niantic Avenue and the western terminus.

(Note: No signs will be installed on Panama Street)

RESIDENTIAL PERMIT PARKING AREA "B" (2-HOUR TIME LIMIT, 9 AM- 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Alemany Boulevard, north side, between Arch Street and Brotherhood Way;

Alemany Boulevard, south side, between St. Charles and Worcester Avenues; and

Arch Street, both sides, between Alemany Boulevard and Brotherhood Way.

RESIDENTIAL PERMIT PARKING AREAS "B" AND "CC" (2-HOUR TIME LIMIT, 9 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Palmetto Avenue, south side, between Head and Ramsell Streets.

RESIDENTIAL PERMIT PARKING AREA "CC" (2-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Alemany Boulevard, south side, between Head and Ramsell Streets;

Palmetto Avenue, north side, between Victoria and Head Streets; and

Victoria Street, both sides, between Alemany Boulevard and Palmetto Avenue.

(Parking and Traffic Department)

(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2637; No Public Benefit Recipient.)

5/30/2003, RECEIVED AND ASSIGNED to Land Use Committee.

- 031015 [Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium]
Resolution authorizing the City Administrator to enter into a Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium.
(Administrative Services Department)
(Public Benefit Recipient.)

6/2/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031046 [Petitions and Communications]

Petitions and Communications received from May 28, 2003 through June 2, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 10, 2003.

From Erika Tarantino, filing notice of appeal for 3725 Buchanan Street from action of Planning Commission. (1)

From Public Utilities Commission, submitting list of grants awarded to the Public Utilities Commission in the past year. (Reference No. 20030422-006) Copy: Supervisor Newsom (2)

From Public Utilities Commission, regarding Public Utilities Commission's Capital Improvement Program. (Reference No. 20030401-005) Copy: Supervisor Ammiano (3)

From Public Utilities Commission, submitting status report on Capital Projects and the Storm Water Management Plan, Draft of Fact Sheet #1. (Reference No. 20030422-015) Copy: Supervisor Newsom (4)

From Office of the City Administrator, submitting list of real property assets as well as leasehold interests of the City and County of San Francisco, as reported to the City Administrator through the Real Estate Division. Copy: Supervisors Gonzalez, Daly (5)

From concerned citizens, submitting support for an enhancement and not a reduction to the Department of Building Inspection budget. Copy: Budget Committee (6)

From Planning Department, regarding the status of the Schlage Lock site in the Vistacion Valley neighborhood. (Reference No. 20030422-003) Copy: Supervisor Newsom (7)

From Port of San Francisco, regarding the Bryant Street Piers Project/Brannan Street Wharf, Piers 1 1/2-3-5, Piers 27-31 Recreation Project, Pier 70, China Basin Shoreline Park, Ferry Building and the Rincon Park Restaurants project. (Reference No. 20030422-018) Copy: Supervisor Newsom (8)

From Port of San Francisco, submitting copy of letter sent to the Department on the Status of Women and CEDAW Task Force regarding the impact of budget cuts on the City's equal access to City services for limited English speakers. File 030530, Copy: Each Supervisor (9)

From Department of Parking and Traffic, regarding installation of an all-way Stop control sign at the intersection of Connecticut and Peter Sammon Way (19th Street). (Reference No. 20030415-006) Copy: Supervisor Maxwell (10)

From Department of Human Services, submitting copy of letter sent to the Department on the Status of Women and CEDAW Task Force regarding the impact of budget cuts on the City's equal access to City services for limited English speakers. File 030530, Copy: Each Supervisor (11)

From Office of the Treasurer/Tax Collector, submitting annual report of businesses that filed for tax credits for the 2002 calendar year. (12)

From Department of Aging and Adult Services, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 2003025-147) Copy: Supervisor McGoldrick (13)

From Coalition for San Francisco Neighborhoods, requesting a member of the Coalition for San Francisco Neighborhoods be given a seat on the expanded Branch Library Improvement Program Advisory Committee. Copy: Supervisor McGoldrick (14)

From Bill Carlin, commenting on letter written by the Chairperson of the Natural Areas Program Citizens Advisory Committee (NAPCAC), dated May 19, 2003. (15)

From concerned citizens, submitting opposition to members of the Board of Supervisors "accepting a large salary increase" especially when the City already has a budget deficit. Copy: Each Supervisor (16)

From SF Environment, submitting a list of state and federal grants currently received by the Department of the Environment. (17)

From Metropolitan Transportation Commission, regarding proposal to appoint alternates to the Metropolitan Transportation Commission. Copy: Supervisor Ammiano (18)

From Airport Director, regarding proposed ordinance to rescind \$700,000 from the Airport's capital funds project; and appropriate \$700,000 to pay for the retention of contract custodians at the Airport. File 030804. Copy: Each Supervisor (19)

From State Public Utilities Commission, regarding decision by an administrative law judge, soliciting comments concerning the issues addressed in the Workshop Report. (20)

From Recreation and Park Department, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference Nos. 20030325-052, 117 and 182) Copy: Supervisor McGoldrick (21)

From Recreation and Park Department, submitting annual report for the Occupational Environment, Health and Safety Program. (22)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for proposed ordinance that prohibits retail coffee stores in the Hayes-Gough Neighborhood Commercial District. File 030350 (23)

From Planning Department, submitting Certificate of Determination of Exemption/Exclusion from Environmental Review for resolution approving a Cooperative Agreement between the City, the Transbay Joint Powers Authority and the State Department of Transportation ("Caltrans"). (24)

From Office of the Controller, submitting Interim Annual Appropriation Ordinance for 2003/04. (25)

From Office of the Mayor, requesting the Board consider an exception to the Annual Appropriation Ordinance and the Interim Annual Salary Ordinance for 2003-2004; and authorize 88 full time new positions during the interim budget period of July 1, 2003 through July 31, 2003. Copy: Each Supervisor (26)

From Municipal Transportation Agency (MUNI), submitting request for waiver of Chapter 12B and 12C of the Administrative Code for Financial Security Assurance and U.S. Bank National Association in connection with Tranche 2 of the Breda Vehicle Lease-Leaseback Transaction. (27)

From Department of Public Health, submitting notice of public hearing regarding proposed fiscal year 2003-04 budget reductions at all public health facilities and clinics in San Francisco. File 030911 (28)

From Department of Public Works, submitting list of state and federal grants awarded to the Department of Public Works in the past year. (Reference No. 20030422-007) Copy: Supervisor Newsom (29)

From Assessment Appeals Board, submitting monthly activity report for period ending May 31, 2003. (30)

From concerned citizens, regarding proposed changes to the City's General Plan. File 021661 (31)

From Reuben & Alter, LLP, regarding proposed appeal for Conditional Use Authorization for property located at 40-50 Lansing Street. (32)

From Brian Banuelos, regarding homeless people camped out at the corner of 18th Street and Storrle Street. Copy: Each Supervisor (33)

From John Jenkel, commenting on various government officials. 2 letters (34)

From Lian Ladia, submitting opposition to closing a senior service program at 19th and Mission Streets. Copy: Each Supervisor (35)

From William Spencer, regarding San Francisco's budget shortfall. Copy: Each Supervisor (36)

From The Presidio Trust, regarding traffic issues at the 15th Avenue gate near the Presidio. (Reference No. 20030506-003) Copy: Supervisor Newsom (37)

From James Corrigan, commenting on proposed budget cuts. Copy: Budget Committee (38)

From Department of Human Services, regarding the department's ability to utilize federal and state welfare funds to create a local tax credit program. (Reference No. 20030411-020) Copy: Supervisor Newsom (39)

From Emergency Communications Department, concerning procedures governing risk management for City departments and recommending improvements to mitigate or avoid future risk. (Reference No. 20030325-141) Copy: Supervisor McGoldrick (40)

From Department of Children, Youth and Their Families, submitting notice that no cost was incurred due to the anti-war protest in March 2003. (Reference No. 20030325-071) Copy: Supervisor Hall (41)

From Office of the Mayor, concerning a number of reorganizations that will improve efficiency and provide budgetary savings. Copy: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez, (42)

From Municipal Transportation Agency (Muni), submitting revised proposed budget for fiscal year 2004. Copy: Budget Committee (43)

From Human Rights Commission, submitting the Disparity Analysis MBE/WBE Disparity Analysis Utilization Report for April 2003. (44)

From concerned citizens, submitting support for the implementation of the "Care Not Cash" program. File 0300848 (45)

From James Chaffee, regarding the Branch Library Improvement Program Committee. (46)

From Port of San Francisco, submitting list of state and federal grants awarded to the Port in the past year. (Reference No. 20030422-10) Copy: Supervisor Newsom (47)

From S.F. Transportation Authority, submitting proposed annual budget for fiscal year 2003/04. (48)

From City Hub Neighborhood Alliance, commenting on a newspaper article in the SF Business Times regarding "chain stores" warning system. (49)

From Matthew Robinson, commenting on the price of Bart fares from San Francisco to Millbrae.
Copy: Each Supervisor (50)

From Kathleen Quinn, submitting support to settle the lawsuit with Tammy Haygood, the former
Director of Elections. Copy: Each Supervisor (51)

From Eileen Reyes, submitting request for a full investigation into why the Retirement Board is
attempting to appoint Pacific Corporate Group as the investment company for the San Francisco
Pension Fund. (52)

From Coalition for San Francisco Neighborhoods, urging the Board not to cut funding for the Mental
Health Rehabilitation Facility (MHRF). Copy: Budget Committee (53)

From Carl Young, commenting on the epidemic proportion of vehicles running red-lights in San
Francisco. (54)

From Lauren Bouyea, submitting support for passage of ordinance rescinding \$700,000 of
unencumbered authority for the Airport Runway Configuration capital project, and appropriating
\$700,000 in fund balance for custodial services for the Airport Commission for fiscal year 2002-03.
File 030804 (55)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

June 5, 2003

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Charter Amendment amend Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030802	Rules Committee	Supervisor Hall	5/6/03	6/6/03
Charter Amendment Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030812	Rules Committee	Supervisor McGoldrick	5/20/03	6/20/03
Charter Amendment Ballot measures by the Board of Supervisor, four or more of its Members or the	030632	Rules Committee	Supervisors Newsom, Peskin	5/13/03	6/12/03
Charter Amendment Conflict of Interest Law	030682	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment District Offices for Board of Supervisors	030852	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Board of Supervisors Proceedings	030853	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03
Charter Amendment Controller as the City Services Auditor	030854	Rules Committee	Supervisor Hall	5/13/03	6/12/03

Charter Amendment Health Service System	030856	Rules Committee	Supervisor Peskin	5/13/03	6/12/03
Charter Amendment Early Retirement for employees identified for layoffs due to City's Fiscal crisis	030855	Rules Committee	Mayor	5/13/03	6/12/03
Charter Amendment Retirement benefits for Public Defenders, District Attorneys and Public Defender's Investigators	030857	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03
Charter Amendment Rainy Day (Economic Stabilization) Reserve for City Government and SFUSD	030858	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Police Commission; Office of Citizen's Complaint; Police Misconduct	030859	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Municipal Railway Rates	030864	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Police/Sheriff Merger	030865	Rules Committee	Supervisor Daly	5/20/03	6/20/03
Charter Amendment Establish an Elected Rent Board	030866	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Planning And Economic Department Commission	030867	Rules Committee	Supervisor Peskin	5/13/03	6/12/03
Ordinance amending SF Police Code Article 27 and Article 29 providing for licensing and regulation of massage practitioners and businesses	030995	City Services Committee	Supervisor Daly	6/3/03	7/3/03
Ordinance amending Planning Code Section 130 requirements for lot line selection for vacant lots abutting two or more streets	030999	Land Use Committee	Supervisor McGoldrick	6/3/03	7/3/03
Ordinance amending the Planning Code establish the Northeast Waterfront Special Sign District	031034	Land Use Committee	Supervisor Peskin	6/3/03	7/3/03

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689

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17/03

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



DOCUMENTS DEPT.

JUN 12 2003

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PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 17, 2003 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFFY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Duffy, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Duffy, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

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Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

1. 030800 [STOP Intersection]
Supervisor Newsom

Resolution designating Buchanan and Northpoint intersection as an all "STOP" intersection.
(5/28/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Ammiano

2. 030776 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Mangels Avenue at Genessee Street, stopping Mangels Avenue at Genessee Street, making this intersection an all-way STOP;

20th and Arkansas Streets, stopping 20th Street at Arkansas Street, making this intersection an all-way STOP;

26th and Tennessee Streets, stopping Tennessee at 26th Street, making this intersection a two-way STOP; and

12th Street at South Van Ness Avenue, stopping southbound 12th Street at South Van Ness Avenue. (Parking and Traffic Department)

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

3. 030777 [Traffic Regulations, Various Streets]

Supervisors Gonzalez, McGoldrick, Maxwell, Ammiano

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES (SIX MONTH TRIAL) - ESTABLISH

Fell Street, from Baker Street to Scott Street.

STREET CLOSURE (6:00 PM TO MIDNIGHT, MONDAY THROUGH FRIDAY AND 11:00 AM TO MIDNIGHT, SATURDAY AND SUNDAY) - ESTABLISH

De Boom Street, north side, from 2nd Street to 75 feet easterly (seven-foot closure for tables and chairs, retains 14-foot access lane).

(5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

4. 030778 **[Parking Regulations, Various Locations]**
Resolution enacting and rescinding parking regulations at various locations.
- TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 6:00 PM (SIX-MONTH TRIAL) - RESCIND
Fell Street, south side, from Baker Street to Scott Street (Fell Street bike lanes).
- TOW-AWAY, NO STOPPING, MONDAY-FRIDAY, 4:00 PM TO 7:00 PM (SIX-MONTH TRIAL) - ESTABLISH
Fell Street, south side, from Divisadero Street to 182 feet easterly (Fell Street bike lanes).
- TOW-AWAY, LANE MUST TURN LEFT (SIX-MONTH TRIAL) - ESTABLISH
Fell Street, at Scott Street (Fell Street bike lanes).
(Parking and Traffic Department)
- (5/2/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2624; No Public Benefit Recipient.)

Question: Shall this Resolution be **ADOPTED**?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

5. 030691 **[Settlement of Legal Proceeding]**
Ordinance approving the settlement of a claim filed by the City and County San Francisco in the bankruptcy entitled In re Metricom, Inc., United States District Court, Northern District of California, Case No. 01-53291-ASW.
(City Attorney)
(Public Benefit Recipient.)
- 6/10/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?
6. 030773 **[Settlement of Lawsuit - Loretta A. Bowie]**
Ordinance authorizing settlement of the matter of Loretta A. Bowie v. City and County of San Francisco and Louise Statzer for \$92,500. The lawsuit was filed on April 17, 2002, in San Francisco Superior Court, Case No. 406-801, and was removed to United States District Court on June 26, 2002, Case No. C 02-3082 SI; entitled Loretta A. Bowie v. City and County of San Francisco and Louise Statzer.
(City Attorney)
(Public Benefit Recipient.)
- 6/10/2003, PASSED, ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED**?

7. 030774 [Settlement of Lawsuit - Derrell Neal]

Ordinance authorizing settlement of the lawsuit filed by Derrell Neal against the City and County of San Francisco for \$40,000; the lawsuit was filed on November 26, 2002 in San Francisco Superior Court, Case No. 401-659; entitled Derrell Neal, et al., v. City and County of San Francisco, et al. (Public Benefit Recipient.)

6/10/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 030775 [Settlement of Lawsuit - YONG SHAO MA and PUI KAY CHAN]

Ordinance authorizing settlement of the lawsuit filed by YONG SHAO MA and PUI KAY CHAN against the City and County of San Francisco for \$750,000; the lawsuit was filed on October 26, 1998 in San Francisco Superior Court, Case No. 998-809; entitled Yong Shao Ma, et al., v. City and County of San Francisco, et al. (City Attorney)
(Public Benefit Recipient.)

6/10/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Duffy, Gonzalez

9. 030905 [Settlement of Lawsuit - JMB Construction, Inc.]

Ordinance authorizing settlement of the lawsuit filed by JMB Construction, Inc., against the City and County of San Francisco, for \$200,000; the lawsuit was filed on June 10, 2002, in San Francisco Superior Court, Unlimited Jurisdiction, Case No. 408-928; entitled JMB Construction, Inc. v. City and County of San Francisco; other material terms of said settlement are: (1) The City reserves all rights to pursue claims against JMB for latent defects in the contract work, and JMB agrees to retain full responsibility for latent defects in the contract work; (2) All warranties under the contract and which are not yet expended shall remain in full force and effect; (3) The City shall retain responsibility for any future claims made by Union Pacific Railroad Company ("Union Pacific") arising from the contract, except that JMB shall retain full responsibility for any claims by Union Pacific arising from damage caused by JMB; (3) In consideration for the proposed settlement payment, JMB has agreed to dismiss the action with prejudice in its entirety; and (4) the City and JMB each shall bear its own legal costs and fees arising from this action. (Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Hall, Gonzalez

10. 031012 [Appointment]

Resolution appointing Tsuyako Kitashima, term ending March 31, 2005 to the Commission on Aging Advisory Committee.

Tsuyako Kitashima, succeeding herself, term expired, seat 8, must be a nominee of District 1 Supervisor for a two year term ending March 31, 2005.

Question: Shall this Resolution be ADOPTED?

11. 031020 [Appointment]

Resolution appointing Janice Voorsluys and Dale Butler, terms ending November 19, 2004 to the Bicycle Advisory Committee.

Janice Voorsluys, new appointment, seat 4, must be a nominee of District 4 Supervisor for a two year term ending November 19, 2004.

Dale Butler, new appointment, seat 6, must be a nominee of District 6 Supervisor for a two year term ending November 19, 2004.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma

12. 030830 [Public Works Code Permit Fees and Assessment]

Mayor

Ordinance adding Article 2.1 of the Public Works Code to add sections 2.1.1, 2.1.2, 2.1.3, and 2.1.4 concerning permit fees and occupancy assessments, specifying procedures to establish such permit fees and assessments, amending section 2.4.45 to modify the procedures for fee review and adjustments, and making environmental findings.

(Mayor)

6/10/2003, AMENDED.

6/10/2003, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, McGoldrick

13. 030577 [Parental Leave]

Supervisor Daly

Ordinance approving rules for administration, interpretation and regulation of Parental Leave as submitted by the Department of Human Resources.

(Fiscal impact.)

6/10/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 030609 [Appropriate funding from the sale of certificates of participation for the Juvenile Hall Reconstruction Project]

Mayor, Supervisor Hall

Ordinance appropriating \$42,052,080 from the sale of certificates of participation by the Mayor's Office of Criminal Justice to fund the Juvenile Hall Reconstruction Project for fiscal year 2002-03.

(Mayor)

6/10/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 030631 **[Competitive Bid and Prevailing Wage Exemption for Job Training Program - San Francisco Conservation Corps]**
Supervisors Maxwell, Newsom
Ordinance exempting the San Francisco Conservation Corps from the prevailing wage requirements and waiving the competitive bid requirements for the Recreation and Park Commission's award of a contract for construction of playgrounds, restoration of natural areas and implementation of erosion control measures in San Francisco parks.
- 6/10/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 030683 **[Funding for the over-expenditures in the Conflicts Panel (Indigent Defense) Program]**
Mayor
Ordinance appropriating \$150,000 in the Child Support Services Fund to cover over-expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program consisting of \$150,000 carried forward from FY 2001-02 and \$700,000 of FY 2002-03 for the Superior Court for fiscal year 2002-03.
(Mayor)
(Fiscal impact.)
- 6/10/2003, DIVIDED. Question concerning the appropriation of \$1,050,000 from the General Fund Reserve to cover over expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program was divided and considered separately under File No. 031091.
6/10/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 031091 **[Funding for the over expenditures in the Conflict Panel (Indigent Defense) Program]**
Ordinance appropriating \$1,050,000 from the General Fund Reserve to cover over-expenditures in legal expenses associated with the Conflicts Panel (Indigent Defense) Program consisting of \$350,000 carried forward from FY 2001-02 and \$700,000 of FY 2002-03 for the Superior Court for fiscal year 2002-03.
(Fiscal impact.)
- 6/10/2003, PASSED ON FIRST READING AS AMENDED. Divided from File No. 030683.
Question: Shall this Ordinance be FINALLY PASSED?
18. 030742 **[Appropriation, \$1,600,000 - Department of Elections]**
Supervisor Gonzalez
Ordinance appropriating funding not to exceed \$1,600,000 from the General Fund Reserve for professional services to implement a ranked-choice voting system for the Department of Elections for fiscal year 2002-03.
(Fiscal impact.)
- 6/10/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

19. 030845 [Appropriation - \$776,000, Department of Elections]

Ordinance appropriating \$776,000 from the General Fund Reserve to implement the ranked-choice voting public education plan for the Department of Elections for fiscal year 2002-03, placing \$250,000 on reserve by the Finance Committee.

6/10/2003, PASSED ON FIRST READING AS AMENDED.

6/10/2003, AMENDED.

6/10/2003, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

20. 030780 [Lease of Real Property]

Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services.

(Real Estate Department)

(Fiscal impact; Public Benefit Recipient.)

DOCUMENTS DEPT.

6/10/2003, CONTINUED. Continued to June 17, 2003

Question: Shall this Resolution be ADOPTED?

JUN 13 2003

SAN FRANCISCO
PUBLIC LIBRARY

Recommendations of the Rules Committee

Present: Supervisors Hall, Duffy, Gonzalez

21. 030328 [Settlement of Unlitigated Claim]

Supervisors Hall, Ma

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of three coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to one or more entities formed by Glenn Meyers, Dayna Meyers, and Garrett Meyers, approving the suspension of the Minimum Annual Guarantee for two Airport restaurants, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.

5/6/2003, CONTINUED. Continued to May 13, 2003

5/13/2003, CONTINUED. Continued to May 20, 2003

5/20/2003, CONTINUED. Continued to June 10, 2003

6/10/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 030660 [Settlement of Lawsuit - Carmi L. Johnson]
Ordinance authorizing settlement of the lawsuit filed by Carmi L. Johnson against the City and County of San Francisco for \$85,000; the lawsuit was filed on March 2, 2001 in United States District Court, Northern District, Case No. C01-0904 SBA; entitled Carmi L. Johnson v. City and County of San Francisco, Roland Chen, Therese Madden; other material terms of said settlement are: 1. PUC to redistribute policies regarding prevention of harassment and retaliation; 2. City to provide contact individual at City Department of Human Resources for future EEO issues.
(City Attorney)
(Public Benefit Recipient.)
(Supervisor Hall dissenting in committee.)

6/10/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
24. 030426 [Charter Amendment - Creating a Small Business Commission]
Supervisors Daly, Peskin, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Charter amendment (Second Draft) to amend the Charter by adding Section 4.134 to establish a Small Business Commission.

6/10/2003, CONTINUED. Continued to June 17, 2003
Question: Shall this Charter Amendment be SUBMITTED?
25. 030740 [Amending Rule 4.29 at Board of Supervisors meetings]
Supervisor Gonzalez
Motion amending Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that at meetings of the Board of Supervisors the recognition of public dignitaries shall occur at 2pm, and the recognition of commendations shall occur at 3pm.

6/10/2003, CONTINUED. Continued to June 17, 2003
Question: Shall this Motion be ADOPTED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma

26. 030622 [Approving Discovery Fees]
Mayor, Supervisor Daly
Ordinance making environmental findings and approving a fee schedule for discovery costs charged by the San Francisco District Attorney's office.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

27. 030966 [MOU - Teamsters, Local 853]
Mayor
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
28. 030967 [MOU - Automotive Mechanics Union Lodge No. 1414]
Mayor
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Mechanics Union Lodge No. 1414, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 030968 [MOU - Deputy Probation Officers' Association]
Mayor
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 030969 [MOU - District Attorney Investigators' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the District Attorney Investigators' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 030970 [MOU - Union of American Physicians and Dentists (Unit 8CC)]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 030972 [MOU - San Francisco Institutional Police Officers' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
33. 030974 [MOU - Service Employees International Union Joint Council, Locals 250, 535 and 790, AFL-CIO]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Joint Council, Locals 250, 535 and 790, AFL-CIO, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
34. 030975 [MOU - San Francisco Interns and Residents Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Interns and Residents Association, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 030976 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
36. 030977 [MOU - Staff and Per Diem Nurses, SEIU Local 790]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 030978 [MOU - Teamsters, Local 856 (Supervising Nurses)]
Mayor
Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 030979 [MOU - Laborers International Union, Local 261]
Mayor
Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

39. 021726 [Regulation of mobile storage containers on the public right-of-way]
Ordinance adding Sections 726 et seq. of the Public Works Code to regulate placement of mobile storage containers on the public right-of-way.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 030422 [Environment Code and Precautionary Principle Policy]
Mayor, Supervisors McGoldrick, Gonzalez, Maxwell
Ordinance enacting a new Environment Code by repealing Chapters 12I (Tropical Hardwood and Virgin Redwood Ban); 12S (Ban on Purchase of Motor Vehicle Fuel Containing MTBE); 12T (Transportation of Aggregate Materials); 21A (Resource Conservation); 21F (Environmentally Preferable Purchasing); 21G (Arsenic-Treated Wood); 39 (Integrated Pest Management Ordinance); 82 (Resource Efficiency Requirements); 85 (Healthy Air and Smog Prevention); and 5 (Article XXIII) (Urban Forestry Council) of the San Francisco Administrative Code and by re-adopting these provisions with minor changes, including dissolving the inactive Clean Air Advisory Committee, and adding a Precautionary Principle Policy Statement as Chapter 1 of the Environment Code; and requesting the Planning Commission to initiate amendments to the General Plan to incorporate the Precautionary Principle.
(Mayor)

6/3/2003, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 030779 [Speed Limit - Fulton Street between Masonic Avenue and Stanyan Street]
Ordinance adding Section 174.05 and amending Section 175.22 of the San Francisco Traffic Code to reduce the speed limit from 30-MPH to 25-MPH on Fulton Street between Masonic Avenue and Stanyan Street.
(Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
42. 030862 [Restricted Traffic Streets]
Supervisor Hall
Ordinance adding Traffic Code Sections 28.1.107, 28.1.108, and 28.1.109 to restrict any person from operating a vehicle with gross weight in excess of 6,000 pounds on Claremont Boulevard between Portola Drive and Taraval Street, Dewey Boulevard between Laguna Honda Boulevard and Taraval Street, and Taraval Street between 14th Avenue and Dewey Boulevard.
(5/16/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
43. 030828 [Housing Element of General Plan]
Supervisor McGoldrick
Resolution requesting that the Planning Department give the highest priority to completion of environmental review for the revision of the Housing Element of the City's General Plan.
- 5/13/2003, REFERRED to Land Use Committee.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez

44. 030923 [Appointment - Municipal Transportation Agency]
Mayor
Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2007.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
45. 031011 [Appointment]
Resolution appointing Supervisor Bevan Dufty, term ending January 31, 2005, to the Mental Health Board.
- Bevan Dufty, succeeding Aaron Peskin, term expired, seat 17, must be a member of the Board of Supervisors for a two year term ending January 31, 2005.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**46. 030704 [Public Hearing - Appeal, Conditional Use, 1017 Ocean Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16558 dated March 27, 2003 approving a conditional use authorization, Case No. 2002.1231C, to install a total of three (3) panel antennas and related equipment at an existing three-story, multi-use structure (Commercial/Residential) as part of Verizon's wireless telecommunications network within a NC-2 (Small Scale Neighborhood Commercial) Zoning District, and within a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues; Lot 041, in Assessor's Block 6945. (Appeal filed April 24, 2003; categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; companion measure to Files 030705, 030706, 030707; District 11.)

5/20/2003, CONTINUED. Continued to June 17, 2003

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**47. 030705 [Appeal, Conditional Use - 1017 Ocean Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

5/20/2003, CONTINUED. Continued to June 17, 2003

Question: Shall this Motion be ADOPTED?

48. 030706 [Appeal, Conditional Use - 1017 Ocean Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 16558, approving Conditional Use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

5/20/2003, CONTINUED. Continued to June 17, 2003

Question: Shall this Motion be ADOPTED?

49. 030707 [Findings - 1017 Ocean Avenue]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1231C on property located at 1017 Ocean Avenue, south side between Lee and Harold Avenues, for action by the Board at its next meeting.
(Clerk of the Board)

5/20/2003, CONTINUED. Continued to June 17, 2003

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

50. 030886 [Appeal, Mitigated Negative Declaration - O'Shaughnessy Dam at the Yosemite National Park]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16573 adopted May 1, 2003, approving a mitigated negative declaration for the proposed development at O'Shaughnessy Dam at the Yosemite National Park, Tuolumne County. (Restore Hetch Hetchy and Sierra Club Appellants)
(Appeal filed May 9, 2003 and May 15, 2003 by Restore Hetch Hetchy and Sierra Club SF Chapter respectively.

6/10/2003, CONTINUED. Continued to June 17, 2003

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

51. 030887 [Affirming adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion affirming the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)
- 6/10/2003, CONTINUED. Continued to June 17, 2003
- Question: Shall this Motion be ADOPTED?
52. 030888 [Reversing adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)
- 6/10/2003, CONTINUED. Continued to June 17, 2003
- Question: Shall this Motion be ADOPTED?
53. 030889 [Preparation of findings to reverse adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

6/10/2003, CONTINUED. Continued to June 17, 2003

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

54. 030896 **[Public Hearing - Appeal, Determination of Exemption of Environmental Review - Secondary Units Legislation]**
Hearing of persons interested in or objecting to the decision of the Planning Department Environmental Review Officer dated April 23, 2003, granting the Secondary Units Legislation (Board of Supervisors File No. 021598), a Statutory Exemption from the California Environmental Quality Act under State CEQA Statutes, Section 2108017; State CEQA Guidelines, Section 15282(i) and General Rule Exclusion (State CEQA Guidelines Section 15061(b)(3).
(Appeal filed May 14, 2003 by Preserve our Neighborhood; May 20, 2003 by Bud Wilson; June 2, 2003 by Coalition for SF Neighborhoods; Planning Case No. 2002.0418E.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

55. 030897 **[Affirming the exemption/exclusion issued for Secondary Unit Ordinance]**
Motion affirming the determination by the Planning Department that the Secondary Unit Ordinance is exempt/excluded from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?
56. 030898 **[Disapproving the statutory exemption/exclusion issued for the Secondary Unit Ordinance]**
Motion disapproving the determination by the Planning Department that the Secondary Unit Ordinance is statutorily exempt/excluded from environmental review.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?
57. 030899 **[Preparation of findings related to the exemption/exclusion appeal for Secondary Unit Ordinance]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Secondary Unit Ordinance is exempt/excluded from the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Budget Committee

The following items will be considered by the Budget Committee at a Special Meeting on Wednesday, June 11, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

58. 030784 **[Interim Government Funding, Fiscal Year 2003-04]**

Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2004.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

59. 030785 **[Interim Public Employment, Fiscal Year 2003-04]**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2004, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Human Resources Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

60. 030735 **[Appropriation, \$714,075 - Environmental evaluation of various city projects]**

Supervisor Dufty

Ordinance appropriating \$714,075 of surplus City Planning Commission Fees for professional services for preparation of Environmental Impact Reports (EIRs) related to community planning for San Francisco's eastern neighborhoods (Mission, South of Market, Showplace Square/Potrero Hill, Visitation Valley and Bayview/Hunter's Point) and salary and fringe benefits for existing unfunded positions involved in Contract supervision of the EIRs and to address backlogs in environmental evaluation of various city projects for fiscal year 2002-03, placing a reserve of \$527,003.
(Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

61. 030914 [Re-appropriate existing funding for the over-expenditures in personnel costs, non-personal services, and workers compensation for DPH]
Mayor
Ordinance re-appropriating \$9,342,000 of existing departmental revenues to cover over-expenditures in personnel costs, non-personal services, and workers compensation for the San Francisco General and Laguna Honda Hospitals for the Department of Public Health for fiscal year 2002-03.
(Mayor)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

62. 030973 [MOU - Municipal Attorneys' Association]
Mayor
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Budget Committee at a Special Meeting on Wednesday, June 12, 2003 at 9:30 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report.

63. 030984 [Redevelopment Agency Budget, Fiscal Year 2003-2004]
Mayor
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2003-2004.
(Mayor)

Question: Shall this Resolution be ADOPTED?

64. 030736 [Appropriation, \$4,725,783 - Police Department and Sheriff's Department for the anti-war demonstrations]
Ordinance appropriating a total of \$4,725,783 from the General Reserve, consisting of \$4,230,573 for the Police Department to cover over-expenditures in overtime, fringe benefits, workers compensation and non-personal services, and \$495,210 for the Sheriff's Department for overtime, fringe benefits, and food associated with the provision of mutual aid to the Police Department during the anti-war demonstrations, for fiscal year 2002-03.
(Mayor)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

65. 031032 [Treasure Island Development Authority Budget, Fiscal Year 2003-2004]
Mayor
Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2003-2004.
(Mayor)

Question: Shall this Resolution be ADOPTED?

From Budget Committee With Recommendation "Do Not Pass"

66. 030868 [Elimination of Paid Ballot Arguments]
Mayor
Ordinance amending the Municipal Elections Code to amend Sections 500, 530, 535 and 585 and deleting Sections 555, 560, 565, 570 and 830 to eliminate paid ballot arguments from the Voter Information Pamphlet.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

67. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

68. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 69 through 82

69. 031066 [SRO Hotel Safety and Stabilization Task Force]
Supervisor Ammiano
Resolution expanding the Single Room Occupancy Hotel Safety and Stabilization Task Force increasing the current membership by two seats.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
70. 031067 [Commend Norma Pascua Scott]
Supervisor Daly
Resolution commending the extraordinary services and dedication of Mrs. Norma Pascua Scott to the San Francisco community.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
71. 031068 [Commend Alex Mamak]
Supervisor Duffy
Resolution commending Alex Mamak upon the occasion of his retirement.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
72. 031069 [Commend A Better Chinatown Tomorrow]
Supervisors Peskin, Duffy, Ma
Resolution commending the efforts of A Better Chinatown Tomorrow in rejuvenating the economy of Chinatown.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
73. 031070 [Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium]
Supervisor Daly
Resolution authorizing the City Administrator to enter into a Third Amendment to the Management Agreement for Moscone Convention Center and Civic Auditorium.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

74. 031071 [Appointing Ed Harrington to the San Francisco Bay Area Regional Water System Financing Authority]
Supervisor Duffy
Resolution appointing Edward Harrington, to an indefinite term as a Director of the San Francisco Bay Area Regional Water System Financing Authority.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
75. 031072 [Designating Sail San Francisco as official tall ship and training ship]
Supervisor Peskin
Resolution designating Sail San Francisco as official tall ship and training ship hosting organization for the City and County of San Francisco and commending Sail San Francisco for its contributions to the small business and tourism revitalization of the waterfront.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
76. 031074 [Extension of Planning Commission Review Period]
Supervisor Maxwell
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1 9bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street) from M-1 (Light Industrial) to NC-3 (Moderate Scale Neighborhood Commercial District) and the 17th Street and Rhode Island Grocery Store Special Use Subdistrict and a companion ordinance to amend the Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
77. 031075 [Accept-Expend a Gift-in-Place]
Supervisor Newsom
Resolution authorizing the Recreation and Park Department to accept and expend a gift-in-place valued at \$18,000.00 from Mr. Jeffery G. Edwards to the Recreation and Park Department for resurfacing the athletic courts at Julius Kahn Playground.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
78. 031076 [Support of Proposed Skate Park at Potrero del Sol Park]
Supervisors Newsom, Duffy
Resolution supporting the Skateboarding Task Force and the Recreation and Park Department's recommendation to build a skate park at the Potrero del Sol Park.
- 6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

79. 031077 [Commend Leslie Caron]
Supervisor Newsom

Resolution commending Leslie Caron for her six decades of outstanding achievement in the theatre and feature films and proclaiming June 30th, 2003 as "Leslie Caron Day" in the City and County of San Francisco.

6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

80. 031048 [Final Map for a 7 Unit Commercial/Residential Condominium Project]

Motion approving Final Map of 430 - 438 Judah Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 21 in Assessor's Block No. 1764, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,155; District 5.)

6/5/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

81. 031049 [Needle Exchange Emergency]

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

82. 031073 [Extending the San Francisco Zoo Audit Select Committee]
Supervisor Ma

Motion extending the San Francisco Zoo Audit Select Committee.

6/10/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

83. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 3, 2003 through June 9, 2003, for reference by President to appropriate committee on June 17, 2003.

030955 [Settlement of Lawsuit - Armenta, et al., v. James Jones Co., et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the James Jones Company, Mueller Co., Tyco International and Watts industries, for a payment to the City in the amount of \$2,890,908; the lawsuit was filed on June 26, 1997 in Los Angeles County Superior Court, Case No. BC 173-487; entitled Los Angeles Department of Water and Power ex rel Armenta, et al., v. James Jones Co., et al.

(City Attorney)

(No Public Benefit Recipient.)

6/5/2003, RECEIVED AND ASSIGNED to Rules Committee.

031013 [Settlement of Lawsuit - Dillingham Construction N.A. et al., v. City and County of San Francisco, et al.]

Ordinance authorizing settlement of the lawsuit filed by Dillingham Construction N.A. against the City and County of San Francisco for \$2,400,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid in part through the release of \$1,050,000.00 from an unpaid progress payment and the retention account held for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees.

(City Attorney)

(Public Benefit Recipient.)

6/5/2003, RECEIVED AND ASSIGNED to Rules Committee.

031019 [Mission Bay 16th/7th Street Jack and Bore Casing Improvements]

Ordinance accepting the irrevocable offer for the 16th/7th Street Jack and Bore Casing Improvements; designating said facilities for public use and maintenance purposes; adopting findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,027; and authorizing official acts in connection with this ordinance. (Public Utilities Commission)

(No Public Benefit Recipient; Findings of DPW Order No. 174027 dated June 9, 2003.)

6/9/2003, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 3, 2003 through June 9, 2003, for reference by President to appropriate committee on June 17, 2003.

031016 [Study of HIV prevention in beerhalls in Harare, Zimbabwe]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to enter retroactively into the second year of an agreement with The Regents of the University of California San Francisco (UCSF), the primary contractor, and to accept and expend funds in the amount of \$39,774 to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2003, to April 30, 2004.

(Public Health Department)

(No Public Benefit Recipient.)

6/5/2003, RECEIVED AND ASSIGNED to City Services Committee.

031017 [Lease of Real Property]

Resolution authorizing a lease of approximately 51,119 square feet of space at 1650 Mission Street for the Department of Human Services for a term of five years.

(Real Estate Department)

(Public Benefit Recipient.)

6/6/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031018 [Lease of Real Property]

Resolution authorizing a lease of approximately 13,706 square feet of space at 1650 Mission Street for the Department of Building Inspection for a term of five years.

(Real Estate Department)

(Public Benefit Recipient.)

6/6/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031085 [Appointing Ed Harrington to the San Francisco Bay Area Regional Water System Financing Authority]

Resolution appointing Edward Harrington, to an indefinite term as a Director of the San Francisco Bay Area Regional Water System Financing Authority.

(Public Utilities Commission)

6/9/2003, RECEIVED AND ASSIGNED to Rules Committee.

031093 [Petitions and Communications]

Petitions and Communications received from June 3, 2003 through June 9, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 17, 2003.

From Treasurer/Tax Collector, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Federal Express Corporation. (1)

From Police Department, submitting request for waiver of Chapters 12B and 12C of the Administrative Code, for a governmental bulk purchasing arrangement purchase from the State of California, Office of Criminal Justice Planning. (2)

From Department of Children, Youth and Their Families, submitting notice that the Department incurred no cost due to the anti-war protest in March 2003. (20030325-071) Copy: Supervisor Hall (3)

From Mayor's Office of Emergency Services, submitting list of Federal grants received related to Homeland Security for fiscal year 2003. (Reference No. 20030408-006) Copy: Supervisor Newsom (4)

From Office of the Mayor, submitting technical adjustments to the Mayor's proposed 2003-04 Budget submission for consideration of the Budget Committee. Copy: Budget Committee (5)

From Office of the Controller, regarding change in the Airport Commission's expenditure budget over the past three years. Copy: Budget Committee (6)

From The Brothers Earl, LLC, submitting request for a type 48 on sale liquor license for "House of Shields" located at 39 New Montgomery Street. (7)

From Scott Wilderman, submitting opposition to proposed legislation regarding "Secondary Units" in San Francisco. Copy: Land Use Committee (8)

From Law Office of J. William Yeates, regarding appeal of the O'Shaughnessy Dam Discharge Modification Project. File 030886, Copy: Each Supervisor (9)

From Supervisor Tony Hall, regarding motion directing the Budget Analyst to conduct a priority audit of the Controller's Office. File 030818 (10)

From Comcast Cable Communications, Inc., submitting Comcast's rebuild schedule and launch dates in the City and County of San Francisco. (11)

From Peter Warfield, submitting notice that the Library Commission failed to pass the City Librarian's revised Branch Library Improvement Program Advisory Committee at its regular June 5, 2003 meeting. Copy: Each Supervisor (12)

From Tenant Associations Coalition of San Francisco, submitting support for renewal of Department of Public Works funding in the amount of \$135,000 for the Tenderloin Sidewalk Improvement Program. Copy: Each Supervisor, Budget Committee (13)

For Alliance for a Better District 6, submitting support for renewal of Department of Public Works funding in the amount of \$135,000 for the Tenderloin Sidewalk Improvement Program. Copy: Each Supervisor, Budget Committee (14)

From Office of the Controller, submitting performance measure report and sample page from the community indicators report. Copy: Budget Committee (15)

From Planning Department, submitting appeal report for property located at 40-50 Lansing Street. File 031037 (16)

From SF Housing Authority, regarding risk management procedures at the Housing Authority. (Reference No. 20030325-086) Copy: Supervisor McGoldrick (17)

From Office of the Treasurer, submitting correspondence with attachments that show the investment activity (for fiscal year to date) of the portfolios under management. (18)

From Planning Department, submitting the Wharf J-10 Statutory Emergency Exemption Question and Answer Sheet. Copy: Each Supervisor (19)

From Fine Arts Museums of San Francisco, submitting copy of letter sent to the Department on the Status of Women and CEDAW Task Force regarding the impact of budget cuts on the City's Equal Access to City Services for limited English speakers. File 030530 (20)

From Pedestrian Safety Advisory Committee, submitting opposition to proposed resolution regarding the Motorcycle Sidewalk Parking Policy. File 030808 (21)

From Department of the Environment, submitting 2002 annual report for the Resource Conservation Ordinance. (22)

From Sunset Community Democratic Club, submitting opposition to proposal to close the mental health rehabilitation facility at SF General Hospital. Copy: Budget Committee (23)

From Lawrence Maxwell, submitting support for proposal by SPUR, San Francisco Planning and Urban Research, outlining ways to minimize the pain of the budget deficit. Copy: Each Supervisor (24)

From Department of Public Works, regarding the feasibility of replacing concrete sidewalks in San Francisco with Rubbersidewalk material. (25)

From Department of Public Works, regarding the Department's procedures governing risk management. (Reference No. 20030325-180) Copy: Supervisor McGoldrick (26)

From Michael Rhea, urging the Board to find a way to alleviate the homeless situation in San Francisco. Copy: Each Supervisor (27)

From State Department of Health Services, regarding changes to the Child Health and Disability Prevention Program for fiscal 2003-04. (28)

From State Department of Health Services, regarding Child Health and Disability Prevention Program County Match budget revision #1 for fiscal year 2002-03. (29)

From concerned citizens, submitting support for bike lanes on Fell Street. Copy: Each Supervisor, Land Use Committee (30)

From Barbara Austin, submitting request for continuation of proposed legislation regarding the "Housing Element of General Plan" until the residents in the Western part of the City are given adequate notification and education on the project. Copy: Land Use Committee, File 030828 (31)

From Urban Counties Caucus, submitting legislative update (June 5, 2003) regarding the State Budget. (32)

From concerned citizens, submitting her concerns with XCEL High School sending 100 ninth graders to Luther Burbank Middle School. Copy: Each Supervisor (33)

From Josh Bernardini, regarding safety issues at China Basin Landing located at 185 Berry Street. Copy: Supervisor Daly (34)

From Michael Bernard, regarding proposed pay raise for the Board of Supervisors. Copy: Each supervisor (35)

From Edwin Wong, submitting support for ending funds for the San Francisco Airport Runway project. (36)

From James Miller, submitting suggestions to alleviate pedestrian safety issues on 19th Avenue. (37)

From Winchell Hayward, submitting support for appeal of Planning Commission decision regarding O'Shaughnessy Dam at Yosemite National Park. File 030886, Copy: Each Supervisor (38)

From David Parker, suggesting the Board of Supervisors create a Hospitality Advisory Board that will have the task of working with restaurant owners, neighborhood leaders and property owners to create solutions for the restaurant exodus in San Francisco. (39)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

June 12, 2003

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Charter Amendment Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030812	Rules Committee	Supervisor McGoldrick	5/20/03	6/20/03
Charter Amendment Ballot measures by the Board of Supervisor, four or more of its Members or the	030632	Rules Committee	Supervisors Newsom, Peskin	5/13/03	6/12/03
Charter Amendment Conflict of Interest Law	030682	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment District Offices for Board of Supervisors	030852	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Board of Supervisors Proceedings	030853	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03
Charter Amendment Controller as the City Services Auditor	030854	Rules Committee	Supervisor Hall	5/13/03	6/12/03
Charter Amendment Health Service System	030856	Rules Committee	Supervisor Peskin	5/13/03	6/12/03

Charter Amendment Early Retirement for employees identified for layoffs due to City's Fiscal crisis	030855	Rules Committee	Mayor	5/13/03	6/12/03
Charter Amendment Retirement benefits for Public Defenders, District Attorneys and Public Defender's Investigators	030857	Rules Committee	Supervisor Gonzalez	5/13/03	6/12/03
Charter Amendment Rainy Day (Economic Stabilization) Reserve for City Government and SFUSD	030858	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Police Commission; Office of Citizen's Complaint; Police Misconduct	030859	Rules Committee	Supervisor Ammiano	5/13/03	6/12/03
Charter Amendment Municipal Railway Rates	030864	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Police/Sheriff Merger	030865	Rules Committee	Supervisor Daly	5/20/03	6/20/03
Charter Amendment Establish an Elected Rent Board	030866	Rules Committee	Supervisor Daly	5/13/03	6/12/03
Charter Amendment Planning And Economic Department Commission	030867	Rules Committee	Supervisor Peskin	5/13/03	6/12/03
Ordinance amending SF Police Code Article 27 and Article 29 providing for licensing and regulation of massage practitioners and businesses	030995	City Services Committee	Supervisor Daly	6/3/03	7/3/03
Ordinance amending Planning Code Section 130 requirements for lot line selection for vacant lots abutting two or more streets	030999	Land Use Committee	Supervisor McGoldrick	6/3/03	7/3/03
Ordinance amending the Planning Code establish the Northeast Waterfront Special Sign District	031034	Land Use Committee	Supervisor Peskin	6/3/03	7/3/03
Ordinance amending Planning Code 204.1 prohibiting the sale or storage of alcohol as an accessory use in dwellings in R or NC Districts	031059	Land Use Committee	Supervisor Ma	6/10/03	7/10/03

Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place-Room 244
San Francisco, CA 94102-4689



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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA



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JUN 20 2003

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 24, 2003 2:00 PM

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE MCGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

City and School District Select Committee

Supervisors Maxwell, Ammiano, Ma, Commissioners Cruz, Sanchez, Kelly

City Services Committee

Supervisors Dufty, Ma, Newsom

Finance and Audits Committee

Supervisors Peskin, Sandoval, McGoldrick

Land Use Committee

Supervisors McGoldrick, Maxwell, Ammiano

Rules Committee

Supervisors Hall, Dufty, Gonzalez

Meeting Days

Thursday
1:00 PM

2nd Monday, bi-monthly

Thursday
9:30 AM

Wednesday
12:30 PM

Monday
1:00 p.m.

Wednesday
9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

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The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

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- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

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The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 13, 2003 Meeting Minutes

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the City Services Committee

Present: Supervisors Dufty, Newsom

1. 030824 [Accept-Expend State Grant]
Supervisors Dufty, Newsom

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "Suppression of Drug Abuse in Schools Program."

(Police Department)

(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

2. 030901 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom
Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$646,037 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement with Victim and Witness Assistance Program for the period of July 1, 2003 through June 30, 2004.
(District Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
3. 030902 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom
Resolution authorizing the Office of the District Attorney to contract for, accept and expend \$74,028 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2003 through June 30, 2004.
(District Attorney)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
4. 030925 **[Accept-Expend State Grant]**
Mayor, Supervisors Dufty, Newsom
Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of \$251,674 from the California Governor's Office of Emergency Services for emergency response equipment.
(Mayor)
- Question: Shall this Resolution be ADOPTED?
5. 030927 **[Accept-Expend State Grant]**
Supervisors Dufty, Newsom
Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$15,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.
(Sheriff)
(No Public Benefit Recipient.)
- Question: Shall this Resolution be ADOPTED?
6. 030924 **[Accept-Expend State Grant]**
Mayor, Supervisors Dufty, Newsom
Resolution authorizing the Mayor's Office of Emergency Services to accept and expend a grant in the amount of \$179,451 from the California Governor's Office of Emergency Services for emergency operations planning.
(Mayor)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval

7. 030883 [Acceptance of an Easement]
Resolution authorizing the acceptance of an avigation easement by the City and County of San Francisco from Martin/Regis San Bruno Associates, L.P. for the development of the former United States Navy Site in the City of San Bruno, at no cost to the City and County of San Francisco.
(Real Estate Department)
(Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Hall, Dufty, Gonzalez

8. 030905 [Settlement of Lawsuit - JMB Construction, Inc.]
Ordinance authorizing settlement of the lawsuit filed by JMB Construction, Inc., against the City and County of San Francisco, for \$200,000; the lawsuit was filed on June 10, 2002, in San Francisco Superior Court, Unlimited Jurisdiction, Case No. 408-928; entitled JMB Construction, Inc. v. City and County of San Francisco; other material terms of said settlement are: (1) The City reserves all rights to pursue claims against JMB for latent defects in the contract work, and JMB agrees to retain full responsibility for latent defects in the contract work; (2) All warranties under the contract and which are not yet expended shall remain in full force and effect; (3) The City shall retain responsibility for any future claims made by Union Pacific Railroad Company ("Union Pacific") arising from the contract, except that JMB shall retain full responsibility for any claims by Union Pacific arising from damage caused by JMB; (3) In consideration for the proposed settlement payment, JMB has agreed to dismiss the action with prejudice in its entirety; and (4) the City and JMB each shall bear its own legal costs and fees arising from this action.
(Public Benefit Recipient.)

6/17/2003, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Hall, Gonzalez

9. 031013 [Settlement of Lawsuit - Dillingham Construction N.A. et al., v. City and County of San Francisco, et al.]
Ordinance authorizing settlement of the lawsuit filed by Dillingham Construction N.A. against the City and County of San Francisco for \$2,400,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid in part through the release of \$1,050,000.00 from an unpaid progress payment and the retention account held for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees.
(City Attorney)
(Public Benefit Recipient.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

10. 031083 **[Adopting findings related to the conditional use appeal on property located at 2690 Harrison Street (aka 3000 23rd Street)]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1311EC (which allowed the construction of dwelling units in a C-M (Heavy Commercial) zoning district, by demolishing an existing, vacant industrial building and constructing a four-story, 54-unit, 40 foot high residential building) on a site within the Northeast Mission Industrial Zone for property located at 2690 Harrison Street (aka 3000 23rd Street) (Lot 004 in Assessor's Block 3639).
(Clerk of the Board)
(Companion measure to Files 030654, 030655, 030656, 030657, 030658.)

6/16/2003, REFERRED to Board of Supervisors.

Question: Shall this Motion be ADOPTED?

Recommendations of the Budget Committee

Present: Supervisors Daly, Maxwell, Ma

11. 030622 **[Approving Discovery Fees]**
Mayor, Supervisor Daly
Ordinance making environmental findings and approving a fee schedule for discovery costs charged by the San Francisco District Attorney's office.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Maxwell

12. 030914 **[Re-appropriate existing funding for the over-expenditures in personnel costs, non-personal services, and workers compensation for DPH]**
Mayor
Ordinance re-appropriating \$9,342,000 of existing departmental revenues to cover over-expenditures in personnel costs, non-personal services, and workers compensation for the San Francisco General and Laguna Honda Hospitals for the Department of Public Health for fiscal year 2002-03.
(Mayor)
(Fiscal impact.)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 030735 **[Appropriation, \$714,075 - Environmental evaluation of various city projects]**
Supervisor Duffy
Ordinance appropriating \$714,075 of surplus City Planning Commission Fees for professional services for preparation of Environmental Impact Reports (EIRs) related to community planning for San Francisco's eastern neighborhoods (Mission, South of Market, Showplace Square/Potrero Hill, Visitation Valley and Bayview/Hunter's Point) and salary and fringe benefits for existing unfunded positions involved in Contract supervision of the EIRs and to address backlogs in environmental evaluation of various city projects for fiscal year 2002-03, placing \$400,000 in Controller's reserve and \$127,000 in a fiscal committee reserve.
(Mayor)
(Fiscal impact; No Public Benefit Recipient.)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Ma, Gonzalez

14. 030736 **[Appropriation, \$3,974,184 - Police Department]**
Ordinance appropriating a total of \$3,974,184 from the General Reserve for the Police Department to cover over-expenditures in overtime, fringe benefits, workers compensation and non-personal services for fiscal year 2002-03.
(Mayor)
(Fiscal impact; No Public Benefit Recipient.)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez

15. 030966 [MOU - Teamsters, Local 853]

Mayor, Supervisor Daly

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 853, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 030967 [MOU - Automotive Mechanics Union Lodge No. 1414]

Mayor, Supervisor Daly

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Mechanics Union Lodge No. 1414, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 030968 [MOU - Deputy Probation Officers' Association]

Mayor, Supervisor Daly

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 030969 [MOU - District Attorney Investigators' Association]

Mayor, Supervisor Daly

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the District Attorney Investigators' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 030970 [MOU - Union of American Physicians and Dentists (Unit 8CC)]
Mayor, Supervisor Daly
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8CC), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
20. 030972 [MOU - San Francisco Institutional Police Officers' Association]
Mayor, Supervisor Daly
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
21. 030974 [MOU - Service Employees International Union Joint Council, Locals 250, 535 and 790, AFL-CIO]
Mayor, Supervisor Daly
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Joint Council, Locals 250, 535 and 790, AFL-CIO, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
22. 030975 [MOU - San Francisco Interns and Residents Association]
Mayor, Supervisor Daly
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Interns and Residents Association, to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
23. 030976 [MOU - Union of American Physicians and Dentists (Unit 11-AA)]
Mayor, Supervisor Daly
Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), to be effective July 1, 2003 through June 30, 2005.
(Mayor)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

24. 030977 [MOU - Staff and Per Diem Nurses, SEIU Local 790]**Mayor, Supervisor Daly**

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

25. 030978 [MOU - Teamsters, Local 856 (Supervising Nurses)]**Mayor, Supervisors Daly, Newsom**

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

26. 030979 [MOU - Laborers International Union, Local 261]**Mayor, Supervisor Daly**

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

27. 030973 [MOU - Municipal Attorneys' Association]**Mayor**

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2003 through June 30, 2005.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

28. 030784 [Interim Government Funding, Fiscal Year 2003-04]**Mayor**

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2004.
(Mayor)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

29. 030785 [Interim Public Employment, Fiscal Year 2003-04]**Supervisor Daly**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2004, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Human Resources Department)

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Ammiano

30. 021726 [Regulation of mobile storage containers on the public right-of-way]**Supervisors Sandoval, Maxwell**

Ordinance adding Sections 726 et seq. of the Public Works Code to regulate placement of mobile storage containers on the public right-of-way.

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Maxwell

31. 030422 [Environment Code and Precautionary Principle Policy]**Mayor, Supervisors McGoldrick, Gonzalez, Maxwell, Daly**

Ordinance enacting a new Environment Code by repealing Chapters 12I (Tropical Hardwood and Virgin Redwood Ban); 12S (Ban on Purchase of Motor Vehicle Fuel Containing MTBE); 12T (Transportation of Aggregate Materials); 21A (Resource Conservation); 21F (Environmentally Preferable Purchasing); 21G (Arsenic-Treated Wood); 39 (Integrated Pest Management Ordinance); 82 (Resource Efficiency Requirements); 85 (Healthy Air and Smog Prevention); and 5 (Article XXIII) (Urban Forestry Council) of the San Francisco Administrative Code and by re-adopting these provisions with minor changes, including dissolving the inactive Clean Air Advisory Committee, and adding a Precautionary Principal Policy Statement as Chapter 1 of the Environment Code; and requesting the Planning Commission to initiate amendments to the General Plan to incorporate the Precautionary Principle.
(Mayor)

6/3/2003, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title.

6/17/2003, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Ammiano

32. 030779 [Speed Limit - Fulton Street between Masonic Avenue and Stanyan Street]
Ordinance adding Section 174.05 and amending Section 175.22 of the San Francisco Traffic Code to reduce the speed limit from 30-MPH to 25-MPH on Fulton Street between Masonic Avenue and Stanyan Street.
(Parking and Traffic Department)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
33. 030862 [Restricted Traffic Streets]
Supervisor Hall
Ordinance adding Traffic Code Sections 28.1.107, 28.1.108, and 28.1.109 to restrict any person from operating a vehicle with gross weight in excess of 6,000 pounds on Claremont Boulevard between Portola Drive and Taraval Street, Dewey Boulevard between Laguna Honda Boulevard and Taraval Street, and Taraval Street between 14th Avenue and Dewey Boulevard.
(5/16/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
- 6/17/2003, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Duffy, Newsom

34. 030648 [Liquor License Transfer, 682-684 Commercial Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from #1 Embarcadero Center to 682-684 Commercial Street (District 3), to Chun Mie and Kam Leung Li dba "EC5" will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.
- Question: Shall this Resolution be ADOPTED?
35. 030749 [Liquor License, 111 Minna Street Gallery]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Eiming Jung for 111 Minna Street Gallery, located at 111 Minna Street (District 6), to include the increased area and additional bar constructed by the licensee as part of Minna Gallery's expansion project, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.
- Question: Shall this Resolution be ADOPTED?

36. 030903 [IHSS Provider Benefits Contract Approval San Francisco IHSS Public Authority]
Supervisors Duffy, Newsom
Resolution approving the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority for the provision of health and dental benefits to IHSS Independent Providers for the period of July 1, 2003 to June 30, 2006, in the amount of \$56,318,103.
(District Attorney)
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
37. 030904 [Child Care Services Contract Approval - Children's Council of San Francisco]
Supervisors Duffy, Newsom
Resolution approving the contract between the City and County of San Francisco and the Children's Council of San Francisco to provide child care services, for the period from July 1, 2003 to June 30, 2006, in the amount of \$104,579,925.
(Fiscal impact; No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?
38. 030900 [Evaluating the non-name HIV reporting system in California]
Supervisors Duffy, Newsom
Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH, AIDS) to enter retroactively into an agreement with the Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of \$11,500 to evaluate the acceptability of California's HIV Surveillance Program by non-name code, for the period of July 1, 2002 to June 30, 2003.
(Public Health Department)
(No Public Benefit Recipient.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Sandoval

39. 030870 [Repealing Airport Commission authority to approve counsel assigned to the Airport]
Supervisor Daly
Ordinance repealing Administrative Code Section 2A.172 to eliminate the Airport Commission's authority to approve counsel assigned to the Airport by the City Attorney.

Question: Shall this Ordinance be PASSED ON FIRST READING?
40. 030582 [Sale of City Real Property]
Supervisor Peskin
Ordinance amending Section 23.3 of the Administrative Code to provide that the sale of City real property shall be at a sales price of at least 100 percent of the Director of Property's appraised value of the real property, rather than the current 90 percent requirement, except for sales resulting from public auctions or competitive bidding.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Hall, Gonzalez, Ammiano

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate, in accordance therewith consideration of the proposed Charter amendment appropriately may be continued at least one week.)

41. 030858 **[Charter Amendment - Rainy Day Reserve]**
Supervisors Ammiano, McGoldrick, Newsom

Charter Amendment (Second Draft) to add Section 9.113.5 and amend Section 9.113, to create a Rainy Day (Economic Stabilization) Reserve and clarify general rules for fiscal operations.

6/3/2003, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Hall, Duffy, Gonzalez

42. 030741 **[Charter Amendment - Commission on the Environment]**
Supervisors Maxwell, Gonzalez

Charter Amendment (First Draft) to amend Section 4.118 to clarify the jurisdiction of the San Francisco Commission on the Environment.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.

43. 030886 [Appeal, Mitigated Negative Declaration - O'Shaughnessy Dam at the Yosemite National Park]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16573 adopted May 1, 2003, approving a mitigated negative declaration for the proposed development at O'Shaughnessy Dam at the Yosemite National Park, Tuolumne County. (Restore Hetch Hetchy and Sierra Club Appellants)
(Appeal filed May 9, 2003 and May 15, 2003 by Restore Hetch Hetchy and Sierra Club SF Chapter respectively.

6/10/2003, CONTINUED. Continued to June 17, 2003

6/17/2003, CONTINUED. Continued to June 24, 2003

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

44. 030887 [Affirming adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion affirming the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

6/10/2003, CONTINUED. Continued to June 17, 2003

6/17/2003, CONTINUED. Continued to June 24, 2003

Question: Shall this Motion be ADOPTED?

45. 030888 [Reversing adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

6/10/2003, CONTINUED. Continued to June 17, 2003

6/17/2003, CONTINUED. Continued to June 24, 2003

Question: Shall this Motion be ADOPTED?

46. 030889 [Preparation of findings to reverse adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for the O'Shaughnessy Dam Discharge Modification Project.
(Clerk of the Board)

6/10/2003, CONTINUED. Continued to June 17, 2003

6/17/2003, CONTINUED. Continued to June 24, 2003

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

47. 030956 [Public Hearing - Appeal, Conditional Use, 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16571 dated May 1, 2003 approving a conditional use authorization, Case No. 2002.0657C, to mount a total of eight panel antennas and related equipment on the roof of an existing building as part of Verizon's wireless telecommunications network within an NC-2 (Small Scale Neighborhood Commercial) Zoning District, Scenic SSD (Special Sign District) and a 40-X Height and Bulk District on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets; Lot 004, in Assessor's Block 0445A.
(Appeal filed May 29, 2003; Categorically exempt from the environmental review process (CEQA) pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; companion measure to Files 030957, 030958; 030959; District 2.)

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

48. 030957 [Appeal, Conditional Use - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]
Motion approving decision of the Planning Commission by its Motion No. 16571, approving Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

49. 030958 [Appeal, Conditional Use - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]
Motion disapproving decision of the Planning Commission by its Motion No. 16571, approving Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), on the west side between Beach and North Point Streets, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

50. 030959 [Findings - 3725 Buchanan Street (a.k.a. 3727 Buchanan Street)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0657C on property located at 3725 Buchanan Street (a.k.a. 3727 Buchanan Street), for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

SPECIAL ORDER 3:00 P.M.

51. 031037 [Public Hearing - Appeal, Conditional Use, 40-50 Lansing Street (a.k.a. 35 Guy Place)]
Hearing of persons interested in or subject to the decision of the Planning Commission by its Motion No. 16572 dated May 1, 2003, approving Conditional Use Application No. 2002.0446CEV, subject to certain conditions, allowing the construction of an 84-foot tall residential building within an R (Residential) District pursuant to Planning Code Section 152; and allowing the construction of a building with full lot coverage in the Rincon Hill Special Use District pursuant to Planning Code Section 249.1(b)(1)(C) in an RC-4 District, a 84-R Height and Bulk District and the Rincon Hill Special Use District/Residential Subdistrict located at 40-50 Lansing Street (a.k.a. 35 Guy Place), Lot 11, in Assessor's Block 3749.

Action: _____

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

52. 031038 [Appeal, Conditional Use - 40-50 Lansing Street (a.k.a. 35 Guy Place)]
Motion approving decision of the Planning Commission by its Motion No. 16572, approving Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

53. 031039 [Appeal, Conditional Use - 40-50 Lansing Street (a.k.a. 35 Guy Place)]
Motion disapproving decision of the Planning Commission by its Motion No. 16572, approving Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

54. 031040 [Findings - 40-50 Lansing Street (a.k.a. 35 Guy Place)]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0446CEV on property located at 40-50 Lansing Street (a.k.a. 35 Guy Place), for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

55. 031090 [Environmental Review - 40-50 Lansing Street (a.k.a. 35 Guy Place)]
Motion certifying review of Final Mitigated Negative Declaration relating to proposed Conditional Use of property at 40-50 Lansing Street (a.k.a. 35 Guy Place).
(Clerk of the Board)

Question: Shall this Motion be ADOPTED?

56. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

57. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

58. 031113 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following bankruptcy matter (Chapter 11) in which the City and County of San Francisco is an active participant:

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

In Re: PACIFIC GAS AND ELECTRIC COMPANY, Debtor

U. S. Bankruptcy Court, Northern District of California, No. 01-30923 DM
Federal I. D. No. 94-0742640
Date Filed: 4/6/01
(City Attorney)

Question on adoption _____

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (b) & (c), and Administrative Code Section 67.10, for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 59 through 66

59. 031106 **[Commend Frances Park-Li]**
 Supervisors Dufty, Hall, Ma, Newsom, Ammiano, Maxwell, Peskin, Daly, Gonzalez, Sandoval, McGoldrick
 Resolution commending the civic career of Frances Park-Li Rothman.
- 6/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 031108 **[Commend Pop Zhao]**
 Supervisor Maxwell
 Resolution commending Pop Zhao for his work, Celebrate: Life, Liberty & Beauty and acknowledging his efforts to create a memorial artwork dedicated to September 11 victims in New York City.
- 6/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 031109 **[Tobacco Tax Revenue]**
 Supervisor Maxwell
 Resolution to support earmarking Tobacco Tax Revenues for Tobacco Prevention and Cessation.
- 6/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 031110 **[Commend SF Juneteenth Organizing Committee]**
 Supervisor Newsom
 Resolution commending the San Francisco Juneteenth Organizing Committee for another successful Juneteenth Festival and Parade honoring the independence of African American slaves in Texas and the African American community in the City and County of San Francisco.
- 6/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
63. 031112 **[Commend Chinese Chamber of Commerce]**
 Supervisor Peskin
 Resolution commending the work of the Chinese Chamber of Commerce revitalizing the economy of Chinatown.
- 6/17/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

64. 031087 [Final Map for a 6 Unit Residential Condominium Project]
Motion approving Final Map of 223 – 231 Dolores Street, A Residential Condominium Project, being a subdivision of Lot 237 in Assessor's Block No. 3556, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,183; District 8.)

6/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be ADOPTED?

65. 031088 [Final Map for a 54 Unit Live/Work Condominium Project]
Motion approving Final Map of One Bluxome Street, A Live/Work Condominium Project, being a subdivision of Lot 103 in Assessor's Block No. 3786, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,191; District 6.)

6/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

66. 031089 [Final Map for a 10 Unit Live/Work Condominium Project]
Motion approving Final Map of 2221 – 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 4329, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(No Public Benefit Recipient; DPW Order No. 174,190; District 10.)

6/13/2003, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

67. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*[Imperative Resolutions, if any]***OFF-AGENDA LEGISLATION****PROPOSED ORDINANCES**

Proposed ordinances received from June 10, 2003 through June 16, 2003, for reference by President to appropriate committee on June 24, 2003.

031078 [Settlement of Lawsuit - John Darmanin]

Ordinance authorizing settlement of the lawsuits filed by John Darmanin against the City and County of San Francisco for \$80,000; the lawsuits were filed on February 19, 1999 (H-19 Reinstatement) and February 5, 2003 (Enforcement of Judgment), in the San Francisco Superior Court, Case Nos. 301-118 and 502-410; entitled John Darmanin, et al. v. City and County of San Francisco, et al., and San Francisco Fire Fighters Local 798, et al. v. Demmons, et al.

(City Attorney)

(Public Benefit Recipient.)

6/12/2003, RECEIVED AND ASSIGNED to Rules Committee.

031079 [Settlement of Lawsuit - John Darmanin]

Ordinance authorizing settlement of the lawsuit filed by John Darmanin against the City and County of San Francisco for \$105,000; the lawsuit was filed on December 29, 1997, in the United States District Court, Northern District of California, Case No. C 97-4703; entitled John Darmanin, et al., v. City and County of San Francisco, et al.

(City Attorney)

(Public Benefit Recipient.)

6/12/2003, RECEIVED AND ASSIGNED to Rules Committee.

031080 [Settlement of Lawsuit - S.F. Baykeeper, et al. v. CCSF. et al.]

Ordinance authorizing settlement of attorney's fees and costs in the lawsuit filed by Waterkeepers Northern California dba San Francisco Baykeeper, Arc Ecology, and the San Francisco League of Conservation Voters against the City and County of San Francisco, and John L. Martin, Paul Maltzer and Kandace Bender in their official capacities, for \$145,000.00 in attorney's fees and \$4,298.13 in costs; the lawsuit was filed on August 8, 2002 in San Francisco Superior Court, Case No. 501511; entitled Waterkeepers Northern California, et al., v. City and County of San Francisco, et al.

(City Attorney)

(Public Benefit Recipient.)

6/10/2003, RECEIVED AND ASSIGNED to Rules Committee.

031081 [Settlement of Lawsuit - Mesha Irizarry]

Ordinance authorizing settlement of the lawsuit filed by Mesha Irizarry against the City and County of San Francisco for \$500,000; the lawsuit was filed on January 30, 2002 in the United States District Court, Case No. C02-0534 SBA; entitled Mesha Irizarry, et al., v. City and County of San Francisco, et al.

(City Attorney)

(Public Benefit Recipient.)

6/11/2003, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 10, 2003 through June 16, 2003, for reference by President to appropriate committee on June 24, 2003.

031082 [Accept-Expend State Grant]

Resolution authorizing the San Francisco Police Department to retroactively accept and expend a grant in the amount of \$167,908 from the California Office of Traffic Safety (OTS) for an Occupant Protection Program.

(Police Department)

(No Public Benefit Recipient.)

6/13/2003, RECEIVED AND ASSIGNED to City Services Committee.

031095 [Contract Prop J: Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees.

(Public Benefit Recipient.)

6/16/2003, RECEIVED AND ASSIGNED to Finance and Audits Committee.

031146 [Petitions & Communications]

Petitions and Communications received from June 10, 2003 through June 16, 2003, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 24, 2003.

From concerned citizens, submitting opposition to Planning Commission decision that the "Secondary Unit Ordinance" is exempt/excluded from the California Environmental Quality Act. File 030896 (1)

From Law Office of J. William Yeates, submitting comments on behalf of appellant organization, "Preserve Our Neighborhood" opposing Planning Commission decision that the "Secondary Unit Ordinance" is exempt/excluded from the California Environmental Quality Act. File 030896 (2)

From Verizon Wireless, submitting support for Planning Commission decision for proposed wireless telecommunications facility at 1017 Ocean Avenue. File 030704, Copy: Each Supervisor (3)

From Verizon Wireless, regarding proposed Verizon Wireless Telecommunications Facility at 3727 Buchanan Street. Copy: Each Supervisor (4)

From Ethics Commission, regarding the Ethics Commission's recommendations on Charter amendments to establish City Controller as the City Services Auditor. File Nos. 030854, 030812 (5)

From Office of the Mayor, submitting technical adjustments to the Mayor's proposed 2003-04 Budget submission for consideration of the Budget Committee. Copy: Supervisor Daly (6)

From Civil Service Commission, responding to information requested in the Key Budget Questions document. Copy: Supervisor Daly (7)

From SF Redevelopment Agency, responding to information requested in the Key Budget Questions document. Copy: Supervisor Daly (8)

From Office of the Controller, regarding status of General Obligation Bonds, outstanding from 1986 to date. Copy: Budget Committee (9)

From Office of the Controller, submitting technical adjustments to the Mayor's proposed 2003-04 Budget submission for consideration of the Budget Committee. Copy: Each Supervisor (10)

From James Chaffee, regarding the Branch Library Improvement Program Committee. Copy: Each Supervisor (11)

From District Attorney, regarding risk management procedures practiced at the District Attorney's Office. (Reference Nos. 20030325-087, 20030325-152) Copy: Supervisor McGoldrick (12)

From Department of Human Resources, regarding risk management procedures practiced at the Department of Human Resources. (Reference No. 20030325-084) Copy: Supervisor McGoldrick (13)

From Office of the Sheriff, pursuant to Administrative Code Section 1.56, the Office of the Sheriff will create and file an Annual Report on a calendar year basis, to be filed by January 31 of each year, such report to detail activities of the preceding calendar year. (14)

From Department of Parking and Traffic, regarding the feasibility of installing metered traffic lights on San Bruno Avenue, at Stilman and Silver Streets. (Reference No. 20030513-002) Copy: Supervisor Maxwell (15)

From Recreation and Park Department, responding to information requested in the Key Budget Questions document. Copy: Budget Committee (16)

From Taxicab Commission, submitting resolution regarding issuance of taxi driver permits under San Francisco Police Code Section 1089. (17)

From Fire Department, regarding settlement of lawsuit filed by Young Shao Ma and Pui Kay Chan against the City and County of San Francisco for \$750000. File 030775, Copy: Rules Committee (18)

From Southeast Asian Community Center, submitting support for the Tenderloin Sidewalk Improvement Project. Copy: Supervisor Daly (19)

From Police Department, submitting opposition to any decrease in funding for the Neighborhood Safety Partnership program. Copy: Budget Committee (20)

From SF Tenants Union, submitting opposition to the proposed elimination of paid ballot arguments. Copy: Budget Committee (21)

From concerned citizens, submitting opposition to proposal to install parking meters in Golden Gate Park. File 030991 (22)

From concerned citizens, submitting opposition to proposed budget cuts put forth by the Fire Department for the reduction of paramedic response to medical emergencies. (23)

From concerned citizens, regarding Planning Commission appeal approving a mitigated negative declaration for the proposed development at O'Shaughnessy Dam at the Yosemite National Park. File 030886 (24)

From concerned citizens, submitting opposition to Planning Commission approval for installation of a wireless telecommunications facility at 1017 Ocean Avenue. Copy: Each Supervisor (25)

From War Memorial and Performing Arts Center, regarding proposed budget for fiscal year 2003-04. (26)

From James Fitzgerald, submitting support for proposal to build an additional airport runway at the San Francisco International Airport. File 030804 (27)

From concerned citizens, regarding appeal of statutory exemption from the California Environmental Quality Act (CEQA) for Wharf J-10. File 030838 (28)

From David Ortega, filing notice of appeal for property located at 270-284 Valencia Street/17 Brosnan Street, District 6, from action of Planning Commission. File 031134, Scheduled for Public Hearing on July 8, 2003 (29)

From Office of the City Attorney, submitting monthly report of total hours of services to the Office of the Board of Supervisors. (30)

From Jack Barry, commenting that the City and County of San Francisco should either privatize and sell the Medallions for what they are worth, or re-construct the "fee setting methodology" that Prop K spelled out 25 years ago. (31)

From Keith Beattie, submitting opposition to decreased funding for mental health services for AIDS support groups. (32)

From Jack Schoop, suggesting SF International Airport fix its sewage disposal problem as soon as

possible. (33)

From Leroy Ives, regarding staffing costs of public swimming pools in San Francisco. (34)

From Steve Tyson, submitting opposition to proposal to close Market Street to cars. (35)

From concerned citizens, submitting opposition to any decrease in funding for programs for seniors and persons with disabilities. (36)

From Office of the Controller, submitting report concerning the concession audit of Delta Air Lines, Inc. (37)

From Planning Department, submitting notification of environmental review for Third Street Interim Land Use Controls. Copy: Each Supervisor (38)

From Ingleside Terrace Homes Association, urging the Planning Department to prepare an Environmental Impact Report for the proposed Secondary Units Legislation. Copy: Each Supervisor (39)

From Airport, submitting request for waiver of the requirements of Chapters 12B and 12C of the Administrative Code for Equifax Credit Information Services, for fiscal year 2003/04. (40)

From Public Library, regarding the Joint Use Cooperative Agreement between the SF Public Library and SF Unified School District. (41)

From Patrick Monette-shaw, submitting request for immediate disclosure of any analyst done on City employees earning over \$90,000 a year. Copy: Each Supervisor (42)

From Joseph & Elizabeth Eppel, requesting the Port Authority to delay any actions regarding Wharf J-10 until an Environmental Impact Report has been made to insure that any disturbance to Wharf J-10 would not release pollutants into the ground water. File 030838 (43)

From Cleophas Eloby, submitting correspondence with the Department of Parking and Traffic, outlining complaint and protest of said Agency. (44)

From Office on the Aging, submitting copy of letter sent to member on the Advisory Council on Aging regarding his absences from meetings. Copy: Each Supervisor (45)

From Metropolitan Transportation Commission, submitting annual report for 2002. (46)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

June 19, 2003

Rule 5.40 provides that when an ordinance or resolution is introduced which would **create or revise major city policy**, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply **urge** action to be taken.

Charter Amendment Section 3.105 require Controller to access the City's maintenance of streets and parks and delivery of other services.	030812	Rules Committee	Supervisor McGoldrick	5/20/03	6/20/03
Ordinance amending SF Police Code Article 27 and Article 29 providing for licensing and regulation of massage practitioners and businesses	030995	City Services Committee	Supervisor Daly	6/3/03	7/3/03
Ordinance amending Planning Code Section 130 requirements for lot line selection for vacant lots abutting two or more streets	030999	Land Use Committee	Supervisor McGoldrick	6/3/03	7/3/03
Ordinance amending the Planning Code establish the Northeast Waterfront Special Sign District	031034	Land Use Committee	Supervisor Peskin	6/3/03	7/3/03
Ordinance amending Planning Code 204.1 prohibiting the sale or storage of alcohol as an accessory use in dwellings in R or NC Districts	031059	Land Use Committee	Supervisor Ma	6/10/03	7/10/03
Ordinance amending Police Code 4302 and 4303 to define harassment	031105	City Service Committee	Supervisors Peskin, Ma, Maxwell, Daly, Ammiano, Duffy, Gonzalez, Hall	6/17/03	7/17/03



